

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE 92-20, KNOWN AS THE UNIFIED LAND DEVELOPMENT CODE OF PALM BEACH COUNTY, FLORIDA AS FOLLOWS: ARTICLE 3 (DEFINITIONS); ARTICLE 4 (DECISIONMAKING, ADMINISTRATIVE AND ENFORCEMENT BODIES); ARTICLE 5 (DEVELOPMENT REVIEW PROCEDURES); ARTICLE 6 (ZONING DISTRICTS); ARTICLE 7 (SITE DEVELOPMENT STANDARDS); ARTICLE 8 (SUBDIVISION, PLATTING AND REQUIRED IMPROVEMENTS); ARTICLE 10 (IMPACT FEES); ARTICLE 11 (ADEQUATE PUBLIC FACILITIES); ARTICLE 15 (TRAFFIC PERFORMANCE STANDARDS); ARTICLE 17 (PARK AND RECREATION STANDARDS); PROVIDING FOR INTERPRETATION OF CAPTIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125, Florida Statutes, establishes the right and power of counties to provide for the health, welfare, and safety of the existing and future residents by enacting and enforcing land development and administrative regulations necessary for the protection of the public; and

WHEREAS, Palm Beach County Ordinance 92-20 provided for the adoption of the Unified Land Development Code on June 16, 1992, pursuant to Section 163.3202, Florida Statutes to further growth management requirements; and

WHEREAS, Chapters 125 and 163, Florida Statutes, grant authority to the Board of County Commissioners to adopt and enforce land development regulations within the unincorporated area of Palm Beach County; and

WHEREAS, current information and increased population require re-evaluation and adoption of updated development standards; and

WHEREAS, the Board of County Commissioners has mandated that County staff conduct periodic reviews of the Unified Land Development Code to evaluate its various provisions and propose amendments to resolve new or outstanding issues and comply with the Comprehensive Plan, State Statutes and federal law; and

WHEREAS, the Board of County Commissioners has determined that it is in the best interest of public welfare to ensure developments are constructed and continuously operated in accordance with the Unified Land Development Code, conditions of approval and adequate public facilities; and

WHEREAS, the Board of County Commissioners has determined that new and alternative uses and development patterns should be accommodated by the Unified Land Development Code to respond to market demand, encourage economic development, provide incentive for redevelopment, and to utilize vacant or under-utilized buildings while maintaining the integrity of the zoning district through reasonable restrictions and development regulations; and

WHEREAS, the new Sugar Cane Growers Cooperative of Florida Overlay, provisions accommodating charter schools, additional RSER requirements, revised Westgate/Belvedere Homes Overlay language, implementation of the Institutional and Public Facilities district, clarify use of Real Estate offices in PUDs, revised traffic performance standards, new infill park regulations, and other updated and new provisions

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further the goals and policies of the Board of County Commissioners; and,

WHEREAS, the proposed amendments to the ULDC have been reviewed by the Citizens Task Force at public workshops and recommendations of the Citizens Task Force were forwarded to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners determines the proposed amendments will improve the procedures and standards of the Unified Land Development Code; and

WHEREAS, the Citizens Task Force, sitting as the Land Development Regulation Commission, finds that this amendment to the Unified Land Development Code is consistent with the Comprehensive Plan; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

PART 1 The Unified Land Development Code of Palm Beach County is amended as follows:

SUBPART 1 Section 3.2, Definitions, is amended to add and delete language as follows:

DEFINITIONS. Terms in this Code shall have the following definitions. Supplemental definitions for terms in Sec. 6.10 and 7.17, and Articles 9 and 15 are defined in the referenced Section or Article. If a conflict exists in terms between Articles 9 and 15, the terms defined in the specified Article shall apply.

...

Architect means a person ~~duly registered and~~ licensed to engage in the practice of architecture in the State of Florida under Chapter 481, Part I, Fla. Stat., and includes the term "registered architect".

...

~~**Certificate of Concurrency Reservation** means a certificate approved by the Zoning Director with or without conditions, considered in conjunction with a Development Agreement, public facility agreement, or other binding agreement and pursuant to the terms of Art. 11, Adequate Public Facility Standards, that constitutes proof of adequate public facilities to serve the proposed development.~~

...

Concurrency Reservation (Reservation) means a certificate approved by the Zoning Director with or without conditions, which may be considered in conjunction with a Development Agreement, public facility agreement, or other binding agreement and pursuant to the terms of Art. 11, Adequate Public Facility Standards, that constitutes proof of adequate public facilities to serve the proposed development. ~~an order approved by the Zoning Director pursuant to the terms of Art. 11, reserving adequate public facilities for the development.~~

...

Density bonus means ~~density afforded by special density programs such as Transfer of Development Rights, Traditional Neighborhood Development and Voluntary Density Bonus program which is an increase in the residential density of development that the County permits on a parcel of land over and above the maximum or PDD density PUD permitted by the 1989 Palm Beach County Comprehensive Plan as amended for the applicable residential future land use category in which it is located and footnote 5 in Table 6.5-1 of the ULDC.~~

...

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Engineer means a person registered ~~as a professional engineer in the State of Florida to~~ engage in the practice of engineering under Sec. 471.001-471.037, Fla. Stat., and includes the terms "professional engineer" and "registered engineer".

...
Landscape architect means ~~any a person authorized to prepare landscape plans or drawings by~~ licensed to practice landscape architecture under Chapter 481, Part II, (Landscape Architecture) Fla. Stat., and includes the term "registered landscape architect".

...
Surveyor and mapper means a ~~land surveyor registered in the State of Florida person~~ registered to engage in the practice of surveying and mapping under Sec. 472.001-471.041, Fla. Stat., and includes the terms "surveyor", "land surveyor", and "professional surveyor and mapper".

...
Urban ~~s~~Services ~~a~~Area means that portion of the ~~unincorporated area~~ of Palm Beach County designated as the "Urban Services Area" by the Palm Beach County Comprehensive Plan, as such area may change from time to time, pursuant to the procedures set forth within said ~~p~~Plan.

...
SUBPART 2 Section 4.19.B., Decisionmaking, Administrative and Enforcement Bodies, Planning Director of PZB, Jurisdiction, authority and duties, is amended to add and delete language as follows:

2. To review the Comprehensive Plan every ~~five (5)~~ seven (7) years ;

...
SUBPART 3 Section 4.20.B., Decisionmaking and Administrative Bodies, Zoning Director of PZB, Jurisdiction, authority and duties, is amended to add and delete language as follows:

B. Jurisdiction, authority and duties....

1. To coordinate ~~all~~ preapplication conferences;
2. To accept, review, approve, and update ~~General~~ all applicable application ~~submissions~~ requirements;
3. To set the Zoning Calendar, as required by Sec. 5.1.B.

~~3.~~ 4. To accept applications for, review and prepare staff reports recommending approval, approval with conditions, or denial of applications for rezonings, Class A and Class B conditional uses, requested uses, waivers, site plans, subdivisions, special permits, DRIs, and variances. ~~the following development permits: amendments to the Official Zoning Map; Preliminary Development Plans for a Residential Planned Unit Development (RPUD), Traditional Neighborhood Development District (TND), Neighborhood Center Planned Development District (NCPD), Mixed Use Planned Development District (MXDD), Multiple Use Planned Development District (MUDD), Planned Industrial Park Development District (PIPD), Mobile Home Park Planned Development District (MHPD), Recreational Vehicle Park Planned Development District (RVPD), Solid Waste Disposal Planned Development District (SWPD), Class "A" Conditional uses, Class "B" Conditional uses, Site Plan/Plats, and Variances;~~

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~~4. 5....~~

~~5. 6.~~ To review and approve, approve with conditions or deny applications for development permits for administrative variances and time extensions;

~~6. 7....~~

~~7. 8....~~

~~8. 9....~~

~~9. 10....~~

~~10. 11....~~

12. To revoke or suspend, if necessary, any development order or permit, including a special permit, which was issued in violation of this code.

SUBPART 4 Section 5.8, Development Review Procedures, Compliance with Time Limitations and Conditions of Approval, Table 5.8-1, is amended to add and delete language as follows:

TABLE 5.8-1

TIME LIMITATIONS OF DEVELOPMENT ORDER FOR EACH PHASE				
TYPE OF DEVELOPMENT ORDER	MAXIMUM NUMBER OF PHASES	NEXT REQUIRED ACTION OR DEVELOPMENT ORDER	MAXIMUM TIME TO RECEIVE DEVELOPMENT PERMIT OR COMMENCE DEVELOPMENT	...
...
PLANNED DEVELOPMENT DISTRICT: PLANNED UNIT DEVELOPMENT	no maximum	Record plat ⁶	three (3) years ²	...
...

SUBPART 5 Section 5.8, Development Review Procedures, Compliance with Time Limitations and Conditions of Approval, Table 5.8-1, Notes, is amended to add and delete language as follows:

⁶ The recordation of a plat for the preservation area of an AGR-PUD shall not qualify as meeting this requirement.

SUBPART 6 Section 6.2., Zoning Districts, District Purposes and Uses, all districts are amended to add Communication Cell Sites on Wheels (COWs) as a Special Use.

SUBPART 7 Section 6.2.B.4., Zoning Districts, District Purposes and Uses, Agricultural Districts, RSER, is amended to add and delete language as follows:

4. RSER, Rural Services District....

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PERMITTED USES:

Agriculture, bona fide
Fruit and vegetable market
Nursery, retail
Nursery, wholesale
Park, passive
Stable, private
~~Vehicle repair & related services, mobile
minor~~

SPECIAL USES:

Agricultural stand
~~Air curtain incinerator, temporary~~
Amusements, temporary or special event
Bed and breakfast
Farm worker quarters
Grooms quarters
Recycling collection station
Recycling drop off bin
Security or caretaker quarters

**PERMITTED SUBJECT TO DRC SITE
PLAN:**

Agricultural research/development
~~Campground~~
~~Congregate living facility, Type 2~~
Contractor's storage yard
~~Day care center, limited~~
~~Dispatching office~~
Equestrian arena, commercial
Gun club, enclosed
Kennel, commercial
Park, public
Stable, commercial
Utility, minor
~~Veterinary clinic~~

CONDITIONAL USE, CLASS B:

Agricultural sales and service
~~Airplane landing strip, accessory~~
Assembly, nonprofit institutional
Assembly, nonprofit membership
Building supplies, retail
Church or place of worship
Communication tower, commercial
~~Funeral home or crematory~~
~~Gas and fuel, wholesale~~
Government services
Landscape maintenance service
~~Medical office or dental clinic~~
Repair services, limited
~~Vocational school~~
Zoo

CONDITIONAL USE, CLASS A:

Auction, enclosed
Auction, outdoor
~~Arena, auditorium or stadium~~
~~Bed and breakfast~~
~~College or university~~
~~Day care center, general~~
~~Electrical power facility~~
Entertainment, outdoor
Golf course
~~Gun club, open~~
~~Hospital or medical center~~
~~Nursing or convalescent facility~~
~~Repair and maintenance, general~~
~~School, elementary or secondary~~
Solid waste transfer station
~~Water or wastewater treatment plant~~

...

**SUBPART 8 Section 6.2.D.7., Zoning Districts, District Purposes and Uses, Urban
Residential Districts, RM, Multi-Family Residential (Medium Density)
District is amended to add and delete language as follows:**

7. RM, Multi-Family Residential (Medium Density) District. The purpose and intent of the RM district is intended primarily for the development of multiple family dwelling units and affordable housing. The RM district corresponds with the High Residential 8 (HR 8), High Residential 12 (HR12) and the High Residential 18 (HR18) land use designations in the Future Land Use Element of the Comprehensive Plan. The RM district corresponds to the MR5 land use designation as indicated in Sec. 6.5.B.5. The following uses are subject to the Supplementary use standards referenced below.

...

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SUBPART 9 Section 6.2.G., Zoning Districts, District Purposes and Uses, Public ownership district is amended to add and delete language as follows:

6.2.G. ~~Public ownership district~~ Public and Institutional Districts (IPF).
...

2. IPF, Institutional and Public Facilities District. The purpose and intent of the IPF district is to provide lands in appropriate locations for a variety of regional and community uses that are either publicly or privately operated. The IPF district corresponds to the institutional land use designation in the Future Land Use Element of the Comprehensive Plan.

CONDITIONAL USE, CLASS B:
Agricultural research/development
Air curtain incinerator, temporary
Airplane landing strip, accessory
Assembly nonprofit, institution
Assembly nonprofit, membership
Communication panels
Congregate living facility, Type 2
Church or place of worship
Day care center, general
Transportation facility
Nursing or convalescent facility

PERMITTED SUBJECT TO DRC SITE PLAN:
Community Vegetable Garden
Day Camp
Day care center, limited
Governmental services
Heliport or helipad
Medical Office or Clinic
Medical or Dental Laboratory
Park, public
Type II excavation
Utility, minor

CONDITIONAL USE, CLASS A:
Airport
Arena, auditorium or stadium
Cemetery
College or University
Communication tower, commercial
Congregate living facility, type 3
Electrical power facility
Hospital or medical center
Multi-family
School, elementary or secondary
Single-family
Solid waste transfer station
Townhouse
Vocational schools
Water or wastewater treatment plant
Zero lot line home

PERMITTED USES:
Congregate Living Facility, Type 1
Park, passive

SPECIAL USES:
Amusement, temporary or special events
COWs
Recycling Collection Station
Recycling drop off bin
Security or Caretaker quarters

Reference Sections:
1) Supplementary Use Standards - See Sec. 6.4.D
2) Property Development Regulations - See Sec. 6.5
3) Accessory/Temporary Structure Standards - See Sec. 6.6
4) Off-Street parking/Loading - See Sec. 7.2
5) Landscaping - See Sec. 7.3
6) Lighting/Noise/Standards - See Sec. 7.8
7) Signs - See Sec. 7.14
8) Vegetation Protection - See Sec. 9.5

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SUBPART 10 Section 6.4.C., Zoning Districts, Use Regulations schedule, is amended to add and delete language as follows:

TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay																				NOTE				
	Agriculture/Conservation					Residential								Commercial						Indust/Public					
	P C	AGR	A P	S A	R S E R	AR	C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E		I L	I G	P O	I P F
		A G R				C C S O																			
Residential uses																									
Single-family		P	P				P	P	P	P	P	P	P	P	P									A	88
Zero lot line home														A	D	D	D							A	103
Townhouse														A	D	D	D							A	95
Multi-family																P	P							A	65
Mobile home dwelling		S	S	S	S		S	S																	62
Accessory dwelling		S	S	S	S		S	S	S	S	S	S	S	S	S	S									1
Congregate living facility, Type 1							P	P	P	P	P	P	P	P	P	P								P	24
Congregate living facility, Type 2					Ø		A	A	A						A	B	B	B						B	24
Congregate living facility, Type 3														A	A	A		A	A	B				A	24
Estate kitchen		P	P	P	P		P	P	P	P	P	P	P	P	P	P									34.1
Farm residence		P	P	P	P																				36
Farm worker quarters		S	S	S	S	S																			37
Garage sale		P	P	P	P		P	P	P	P	P	P	P	P	P	P									44
Grooms quarters		S	S	S	S	S	S	S	S	S	A	A	A	A	A	A	B	B	D	D	D	P	P	P	47
Guest cottage		P	P	P	P		P	P	P	P	P	P	P	P	P	P									47.2
Home occupation		P	P	P	P		P	P	P	P	P	P	P	P	P	P									50
Nursing or convalescent facility						A							A	A	A	A	A	A	B					B	67
Security or caretaker quarters		S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	86

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	Agriculture/ Conservation					Residential								Commercial						Indust/ Public					
	P C	AGR	A P	S A	R S E R	AR	C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E	I L	I G	P O		I P F
		A G C S O					R U R A L																		
Agricultural uses																									
Agricultural food processing		D	D																						2.1
Agricultural related manufacturing, light		D	D	D																	P	P			2.42
Agricultural research /development		D		D	D	D															P	P		B	3
Agricultural sales and service			P		A	B													P						4
Agricultural stand		S	S	S	S	S	S	S	S							S	S	S	S	S	S	S			4.1
Agricultural transshipment		D	D	D	A																D	P			5
Agriculture, bona fide		P	P	P	P	P	P	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A			6
Aviculture		P	P	P	P		P																		15.1
Community vegetable garden		P	P									D	D	D	D									D	22.2 3
Equestrian arena, commercial		D	D		B	D	B	B	B	B	B	A	A	A	A	A	A	A	A	P	B	B			34
Farmer's Market		D	D																		B	D			37.1
Farrier establishment		P	P	P																					37.2
Groves/row crops		P	P	P	P		P	D	D	B	B	B	A	A	A	A	A	A	A		P	P			47.1
Kennel, commercial		D	D		A	B												B			B				53
Kennel, private		P	P		P		D	D	B	B	A	A	A	A	A	A	A	A	A						54
Livestock raising		P	P	P	P		P	D	A	A	A	A	A	A	A	A	A	A	A	A	A	A			56.1
Nursery, retail		P	P		D	P	A	A	A	A	A	A	A	A	A	A	A	A	P		B	B			66
Nursery, wholesale		P	P	P	P	P	D	D	D	B	B	B	B	B	B	B	B	B	P	P	P	P			66.1
Packing plant		D	D	D	A		B	B	A	A	A	A	A	A	A	A	A	B	B	D	D	D	D		68.1
Potting soil manufacturing		D		D	A																B	D	D		73
Shadehouse, accessory		P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	P			P	P			87.1
Stable, commercial		D	D	D	D	D	D	D	B	A	A	A	A	A	A	A	A	B	B	D	D	D	P		90
Stable, private		P	P	P	P	P	P	P	P	B	B	B	B	B	B	B	B	B							91
Storage, indoor agricultural		P	P	P	B	B	P	P	D	D	D	D	D	D	D	D	D	P		P	P				92
Storage, outdoor agricultural		P	P	P	A		P	P	B	B	B	B	B	B	B	B	B	B		B	P	P			92
Sugar mill or refinery				P	A																	A			93

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	Agriculture/ Conservation					Residential										Commercial						Indust/ Public						
	P C	AGR	A P	S A	R S E R	AR		C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C C L O	C C	C H O	C G	C R E	I L	I G	P O		I P E		
		A G R				C C S O	R U R A L																				U S A	
Utilities																												
Air curtain incinerator, permanent		D		A	A																			A	A	A		7
Air curtain incinerator, temporary		S	S	S	S	S	S	S	A	A	A	A	A	A	A	A	A	A	A	A	A	B	B	B	S	B		8
Chipping and mulching		D		B	A																		B	D	D		20	
Communication tower, commercial	A	A	A	D	A	B	A	A	A	A	A	A	A	A	A	A	A	B	B	B	B	B	D	D	D	D	A	22
Communication panels, building mounted		D		P	D	D	B	B	B	B	B	B	B	B	D	D	D	D	D	D	D	D	P	P	P	B		22.1
Communication cell sites on wheels (COWs)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	22.2
Composting facility		D		D	B																		D	D	D		23	
Electrical power facility		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	P			31
Incinerator																												84
Recycling center																	A	B		D			P	P	P			
Recycling collection station			S			S											D	S	S	S	S		S	S	S	S		74
Recycling drop off bin			S	S	S	S											S	S	S	S	S	S	S	S	S	S		75
Recycling plant																							B	D	B		76	
Sanitary landfill																												84
Solid waste transfer station		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		A	B	B	A		89
Utility, minor		D	D	D	D	B	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D	D		96
Water or wastewater treatment plant		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	D	D	P	A		101

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	P C	AGR	A	S	R	AR	C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E		I L	I G	P O	I P E
		A G R	C C S O	P	S																				
Recreational uses																									
Amusements, temporary or Special events			S		S	S	S	S								S	S		S	S	S			S	10
Arena, auditorium or stadium						A											A		A	A			D	A	11
Campground	D				D	B														D			P		17
Entertainment, indoor			D													A	A		B	D	D				32
Entertainment, outdoor			D			A											A		A	D	D				33
Fitness center			P										B	B	B	D	P	P	P	P	P				39
Golf course						A			A	A	A	A	A	A	A		A		B	D	D		B		45
Gun club, enclosed					A	D													B	P	D	P	D		48
Gun club, open					A	A														A			B		48
Gun range, private			D	D	D	D	A																		49
Marine facility																		B	B	B	P	P	D		59
Park, passive	P	P	P	P	P	P	D	D	D	D	D	D	D	D	D	D	P	P	P	P	P	P	P	P	69
Theater, indoor			D													A	A		B	D	D				94.1
Zoo					B	B	A												B	D			P		104

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Use Type	Zoning District/Overlay																					NOTE				
	Agriculture/Conservation					Residential								Commercial					Indust/Public							
	P C	AGR		A P	S A	R S E R	AR		C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G R E		I L	I G	P O	I P E
		A G R	C C S O				R U R A L	U S A																		
Commercial uses																										
Adult entertainment																				S		S	S			2
Auction, enclosed		P	P			A												B	D							13
Auction, outdoor		P	P			A														A		B				13
Automotive paint or body shop																				A		P	P			14
Automotive service station				A															A	A		B	D			15
Bed and Breakfast		D	D			★ S	S	S	S	S	S	S	S	S	S	S										16
Broadcasting studio																			B	D	D	P				
Building supplies			P			B											B			B		D	P			

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Use Type	Zoning District/Overlay																					N O T E			
	Agriculture/ Conservation					Residential								Commercial						Indust/ Public					
	P C	AGR	A P	S A	R S E R	AR	C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E	I L		I G	P O	I P E
		A G R	C C S O			R U R A L	U S A																		
Commercial uses																									
Car wash and auto detailing			B														A		B		D				18
Catering Service															P	P	P	P	P	P	P	P			18.1
Contractor's storage yard					D																D	P			25
Convenience store, no gas sales			P												A		A		B						26
Convenience store with gas sales			A														A		A		B	D			27
Day labor employment service			D																A		D	P			29
Dispatching office					D														B		P	P			30
Dog day-care																			A		P				30.1
Financial institution			P												D	D	B	B	B						38
Flea market, enclosed																			B						40
Flea market, open																			A		B				41
Fruit and vegetable market		P	P		P	P	A								P		P		P						42
Funeral home or crematory					B										A		A		A		D				43
Gas and fuel, wholesale					B																B	D	P		
Green market		P	P																						46.1
Hotel, motel, SRO, Boarding & Rooming House													A					B	B	D					51
Landscape service		D			A	B	A												B		P	P			55
Laundry services			P												B	D	D	P	P						56
Lounge, cocktail			D												A		A	A	P						57
Medical office or dental clinic		P	P	B	A	B									A	A	B	D	D				D		60
Medical or dental laboratory																		B	P		P				
Monument sales, retail																			P		P				
Office, business or professional			P												P	P	P	P	P		P	P			68
Parking garage, commercial																			A		P				71
Parking lot, commercial																	B	B	D	P	P		P		71
Personal services			P												P	P	P	P	P						72
Printing and copying services			P												P	P	P	P	P		P				
Real estate sales model																									73.1
Repair and maintenance, general					A												A		A		P	P			77
Repair services, limited			P		B										P	P	P	P	P		P	P			78
Restaurant, high turnover sit-down																A	D	A	D		D				81.1
Restaurant, fast food																	A	A	A		A				79
Restaurant, quality			P												D	B	P	B	P	P	P	P			80
Restaurant, specialty			P												P	D	P	P	P	P					81
Retail sales, general			P												P		P		P						82

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Use Type	Zoning District/Overlay																							NOTE	
	Agriculture/Conservation					Residential									Commercial						Indust/Public				
	P C	AGR	A P	S A	R S E R	AR	C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E	I L	I G	P O		I P E
		A G R	C C S O																						
Commercial uses																									
Retail sales, mobile or temporary		S	S		S												S		S		S		S		83
Self-service storage																	A		A		D	D			87
Theater, drive-in																			A	P					94
Towing service and storage																					P	P			
Vehicle inspection center																	A		B		P		P		
Vehicle sales and rental																	A		A		A				97
Veterinary clinic		D	D	P	B	D	B	B	B							A	A	P	B	P					98
Vocational school						B											B	P	P		P	P		A	99
Wholesaling, general																					P	P			102

TABLE 6.4-1
USE REGULATIONS SCHEDULE

Use Type	Zoning District/Overlay																							NOTE		
	Agriculture/ Conservation					Residential								Commercial						Indust/ Public						
	P C	AG R	A P	S A	R S E R	AR		C R S	R E	R T	R T S	R T U	R S	R M	R H	C N	C L O	C C	C H O	C G	C R E	I L	I G		P O	I P E
		AC GR SO				R U R A L	U S A																			
Industrial uses																										
Asphalt or concrete plant																							D			
Data Information Processing																D		P	P			P	P			
Excavation, Type III				A	A														A	A		A	A	A		35
Heavy industry																						A	D			
Laboratory, industrial research																						B	P			
Machine or welding shop		P																				P	P			58
Manufacturing and processing																						P	P			
Mining, Excavation Type IIIA				A	A														A	A		A	A	A		35
Mining, Excavation Type IIIB				A	A														A	A		A	A	A		35
Motion picture production studio																		D	D	A		P	P			64
Salvage or junk yard																							A			
Truck stop																						A	A			95.1
Warehousing																						P	P			100

A = Conditional Use, Class A (BCC Approval) AGR = Agricultural Reserve District B = Conditional Use, Class B (ZC Approval)
CCSO = Community Commercial Service Overlay D = Permitted Subject to DRC Site Plan P = Permitted S = Special Use
RURAL = Rural Area USA = Urban Services Area
NOTE = Use Regulations contained in Sec. 6.4.D.

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SUBPART 11 Section 6.4.D., Zoning Districts, Use Regulations and Definitions, is amended to add and delete language as follows:

1. Accessory dwelling....

- k. **Renewal of Special Permit.** The special permit shall be renewed annually in accordance with Sec. 5.5.E.9. of this code, however, a renewal fee shall not be required.

17.1 Camping cabin....

- g. **Amenities.** A camping cabin may contain electrical outlets, heating, air conditioning units, and fans. ~~In addition, a maximum of ten (10) camping cabins may also contain cooking facilities and plumbing.~~

- h. **Limitation.** A maximum of ~~ten (10)~~ thirty (30) percent of the total approved and developed lots may be converted to cabin use.

- i. **Maximum percentage of camping cabin lots.** At no time shall the number of camping cabins exceed forty-nine (49) percent of the developed lots.

22.2 Communication cell sites on wheels (COWs) means a temporary facility utilized to ensure adequate telecommunications capacity during periods of high usage or during periods when traditional modes of communication are unavailable. COWs consist of a folding or telescoping monopole or guyed structure, with attached antenna, mounted on a trailer or truck. Communication cell sites on wheels shall comply with the following supplementary use standards.

- a. **States of emergency.** The requirements of this section may be waived in the case of a declared state of emergency, as provided by law.

- b. **Special permit.** A special permit must be obtained from the Zoning Division prior to the placement of the facility.

- c. **Use limitations.** COWs shall be permitted only in association with recognized large scale special events with a minimum projected daily attendance of 30,000 or greater.

- (1) Exception. The Zoning Director shall seek BCC direction, and approval, through an Administrative Inquiry (AI) for any event not meeting the minimum projected attendance standards listed above.

- d. **Time limitations.** The special permit shall be valid for seven (7) days, including installation and removal.

- (1) Time extensions. The special permit may be extended up to an additional ten (10) days by the Zoning Director based upon individual circumstances and demonstration of need by the applicant.

- e. **Fencing.** The COW shall be enclosed by a temporary fence a minimum of six (6) feet in height, or other barrier approved by the Zoning Division.

- f. **Non-residential districts.**

- (1) COWs greater than fifty (50) feet in height. COWs greater than fifty (50) feet in height located on parcels with non-residential zoning designations shall be subject to the following:

- (a) Setback. The structure shall meet the greater of the setback requirements of the applicable zoning district or a distance equal to one-hundred ten (110) percent of its height.

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1 h. Removal bond and agreement. The applicant shall execute a removal agreement
2 and post a \$50,000.00 removal bond, subject to approval by the County Attorney.

3 ...

4 **24. Congregate living facility...**

5 **c. Location...**

6 **(2) Location of Type 2 and Type 3....**

7 **(b)Access.** A congregate living facility, Type 3, shall have primary access to a
8 collector or arterial roadway, provided that a Type 3 facility having twenty-five (25)
9 residents or fewer may be located on a local street.

10 **(i)Planned Development Districts.** A Type 3 facility having one hundred and
11 fifty (150) residents or fewer may be located in a pod with access to a local
12 street or a parking tract in a PDD. These facilities shall only be permitted in a
13 multi-family, commercial, or institutional pod.

14 **a)** The CLF must be compatible with the surrounding area, including but not
15 limited to height and mass of surrounding building(s).

16 **i)** The CLF shall not be more than one story higher than existing, or
17 proposed, development within a one hundred fifty (150) foot radius of the
18 facility. The measurement shall be made from structure to structure.

19 **ii)** An incompatibility buffer may be required by the DRC, pursuant to Sec.
20 7.3.F.4.

21 ...

22 **27.1 Day camp, ~~summer~~** means an establishment which provides care, protection and
23 programmed activities for children five (5) years of age and older for a period of less
24 than twenty-four (24) hours per day. This use shall not operate as a day care as
25 defined and regulated by ~~Health and Rehabilitative Services~~ the Department of
26 Children and Family Services.

27 ...

28 **(4) Accessory use.** A camp for two hundred (200) or fewer children may be
29 permitted as an accessory to a legally established institutional, civic or
30 educational use.

31 ...

32 **30.1. Dog day-care** means an establishment which provides daytime care and training for
33 domesticated dogs. A dog day-care shall be subject to the following supplementary
34 use standards.

35 **a. Operating hours.** Day-care activity shall not commence prior to 6:00 a.m. and shall
36 terminate no later than 9:00 p.m.

37 **b. Use approval.** Prior to DRC review, approval shall be obtained from the Division of
38 Animal Care and Control.

39 **c. Health regulations and waste disposal.** The dog day-care shall meet the ECR I and
40 ECR II standards of Article 16., and shall be subject to all applicable rules and
41 regulations of the FDEP, the PBCHD and the Solid Waste Authority.

42 **d. Facilities.** Facilities shall be subject to the following standards:

43 **(1)**outdoor runs, play areas, yards, etc., shall be prohibited;

44 **(2)**adequate drop-off areas shall be provided; and

45 **(3)**three (3) transient spaces measuring twelve (12) feet by twenty (20) feet shall be
46 provided for every fifty (50) dogs.

47 **e. Number of dogs.** The number of dogs permitted shall be based upon the square
48 footage of the facility pursuant to the PBC Division of Animal Care and Control.

49 ...

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1 **45. Golf course....**

2 **a. Accessory use.** A golf course use may also include a clubhouse facility. In addition
3 to the traditional and customary services provided by clubhouse services, the
4 clubhouse may also contain such uses such as financial institutions, ATM machines,
5 financial brokerages and other personal services.
6

7 ...

8 **46. Government services....**

9 **c. Prisons.** Jails, correctional facilities and prisons shall only be permitted in the PO
10 and IPF Districts and shall be subject to Class A Conditional Use review and
11 approval. Expansion of existing facilities shall be exempt from this requirement.
12

13 ...

14 **62. Mobile home dwelling....**

15 **a. Accessory dwelling to agriculture....**

16 **(1) Minimum lot size....**

17 **(c)** twenty (20) acres in the RR20 land use designation in the Future Land Use
18 Element of the Comprehensive Plan, subject to the following standards.
19

20 ...

21 **82. Retail sales, general....**

22 **b. Auto parts stores.** Auto parts stores shall provide an oil recycling drum or other
23 device for the disposal of motor oil, as prescribed by the U.S. Environmental
24 Protection Agency (EPA).
25

26 ...

27 **85. School, Elementary or secondary....**

28 **a. Private Schools and Charter Schools.**

29 **(1) Charter schools.** Charter schools with two hundred (200) or fewer students
30 shall be subject to DRC approval.
31

32 Existing sections (1) through (11) are renumbered to (2) through (12).
33

34 ...

35 **(4)(3) Vehicular circulation.** Designated bus and parental drop off/pick up areas
36 with separate pedestrian pathways shall be provided. The pathways shall not
37 cross vehicular accessways. A vehicular circulation system shall be designed
38 that provides an independent traffic flow for school employees, visitors
39 deliveries from the bus loading area and parent drop-off area.
40

41 ...

42 **(10) Perimeter buffer....**

43 **(a) CG, CHO, CC districts.** A five (5) foot compatibility landscape buffer shall
44 be provided adjacent to non-residential zoning districts.
45

46 ...

47 **87. Self-service storage....**

48 **(11) Location.** A self-service storage facility located on a parcel with a CL future
49 land use designation shall not be located within one thousand (1,000) feet of
50 another self-service storage facility.
51

52 ...

53 **91. Stable, private....**

54 **c. Setbacks.** ~~No structure or stable shall be located within twenty-five (25) feet of any~~
55 ~~property line, or the minimum setback standard of the district in which the private~~
56 ~~stable is located, whichever is greater.~~

57 **(1) Accessory structure.** Private stables with twelve stalls or fewer, located on a
58 parcel with a single family residence, shall be considered an accessory structure
59

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and shall meet the setback requirements for an accessory structure, or twenty-five (25) feet, whichever is greater.

(2) Principal structure. A private stable with more than twelve stalls located on a parcel with a single family residence, or a private stable on a vacant parcel, shall be considered a principal structure and shall meet the applicable setback requirements for a principal structure.

...

96. Utility, minor....

~~b. Buffers.~~ The buffer requirements shall be waived if the required buffer is not visible from adjacent lots or R-O-Ws.

b. e. Maximum size of structure. The minor utility structure, buildings, and appurtenances shall not exceed twenty-five hundred (2,500) ~~fifteen hundred (1,500)~~ square feet of gross enclosed floor area.

c. Lift stations.

(1) New subdivisions. Facilities located in new subdivisions shall be subject to DRC approval concurrent with the subdivision approval.

(2) R-O-Ws. Facilities located within R-O-Ws or utility easements shall not be subject to DRC approval.

...

97. Vehicle sales and rental....

a. District limitations and use criteria.

(1) CC, CG, IL district.

(a) Truck and trailer rental. Truck and trailer rental limited to a maximum of five (5) vehicles per lot shall be permitted as an accessory use to an auto service station subject to Development Review Committee review and approval. Truck and trailer rental exceeding five (5) vehicles per lot shall be permitted ~~only if approved as a subject to~~ Class B Conditional use approval.

(2) MUPD and CG District. An indoor vehicles showroom ~~may~~ shall be allowed in the MUPD and CG Districts ~~as a permitted use subject to review and DRC approval by DRC pursuant to Sec. 5.6~~ and shall comply with the criteria below:

(a) Floor area. The indoor vehicle showroom shall not exceed ~~be a maximum of~~ thirty thousand (30,000) square feet and ~~shall have~~ be limited to a maximum of 15 display vehicles ~~displayed~~.

(b) Retail sales/lease transactions. Retail sales and lease transactions ~~of~~ for new vehicles may occur in the indoor vehicle showroom.

(c) New vehicles....

(d) Test drives. ~~Not~~ Test drives shall not be permitted from the indoor vehicle showroom or on-site. Test drives shall occur off-site from an associated dealership.

(e) Parking. ~~No~~ Vehicles for sale or lease shall not be parked or displayed outside of the showroom. Trucks used to transport vehicles to and from the showroom shall not be parked in required parking areas and shall not be stored on-site.

(f) Vehicle operations....

(g) Maintenance and repair....

(3) IL and IG Districts. In the IL and IG districts, a vehicles sales and rental uses shall be limited to the following:

(a) Vehicle sale and rental, accessory. In the IL and IG districts, a limited vehicle sales and rental ~~use~~ may be permitted as an accessory use to a general repair and maintenance facilities~~y~~. The vehicle sales and rental uses shall be limited to a maximum of five (5) vehicles per lot.

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- (i) ~~Use approval.~~ Accessory vehicles sales and rental shall be subject to review and approval by the DRC Development Review Committee.
- (ii) **Display.** Vehicles on display must be located within fifty (50) feet of a repair bay.
- (iii) **Site plan....**
- (b) **Automobile rental....**
- (c) **Mobile home, RV, and heavying equipment sales or rental.** The sale or rental ~~of~~ of mobile or manufactured homes, recreational vehicles or heavy equipment shall be permitted ~~as a~~ subject to Class B Conditional use approval.

...
b. Additional development standards....

- (10) **Temporary sale of vehicles.** Temporary sale of vehicles shall be allowed as a special permit in accordance with 6.4.D.10. (Amusements, Temporary or Special Event). In addition to the regulations in 6.4.D.10, and above, temporary sale of vehicles shall comply with the following supplementary use standards.
- (a) **Zoning district.** Temporary sale of vehicles shall only be permitted in the following zoning districts: CG, IL, and MUPD.
- (b) **Minimum lot size.** The minimum lot size shall be ten (10) acres.
- (c) **Separation.** A minimum separation of two hundred (200) feet shall be maintained from all buildings.
- (d) **Duration.** Temporary sale of vehicles shall be limited to three (3) consecutive calendar days and shall be prohibited during the months of November and December.
- (e) **Parking.** A maximum of fifty (50) off-street parking spaces may be utilized for the special event. No activities associated with the event shall extend beyond the event area.
- (f) **Signage.** Signage shall be permitted only in the designated event area.
- (g) **Prohibitions.** Open hoods or repairs shall not be permitted.
- (h) **Hours of operation.** Hours of operation shall be from 8:00 a.m. to 9:00 p.m.
- (i) **Location.** There shall be suitable ingress and egress to the event area, subject to Zoning Division approval.

...
SUBPART 12 Section 6.5., Zoning Districts, Table 6.5-1, is amended to add language as follows:

TABLE 6.5-1
PROPERTY DEVELOPMENT REGULATIONS SCHEDULE ²

Zoning District	Min. Lot Dimensions			Density		Max FAR	Max. Bldg. Cover	Min. Bldg Setbacks (ft.)			
	Size	Width	Depth	Min. ⁵	Max. ⁶			Front ³	Side	Street	Rear
...
RSER	10 ac.	300	300 ²	-	-	.35	20%	25	50	25	50
...
RM	<u>1 *</u>	65	75	5.0	6.0		35%	25	15	25	12
RH	<u>1 *</u>	65	75	5.0	6.0 <u>8.0</u>		35%	25	15	25	12
IPF	<u>1 ac.</u>	<u>100</u>	<u>200</u>			<u>.35</u>	<u>25%</u>	<u>50</u>	<u>15</u>	<u>25</u>	<u>20</u>

*Maximum lot depth in the RSER District is 800'.

Notes for Table 6.5-1:

- ...
⁵ The minimum allowable density may be less if a project is granted a minimum Underlined language indicates proposed new language.
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- density exemption pursuant to the applicable provisions in the Comprehensive Plan.
- ⁶ The maximum allowable density may be greater if the project is granted the ability to develop above the standard densities pursuant to the applicable provisions in the Comprehensive Plan.
- ⁷ Maximum lot depth in the RSER District is 800'. (moved from *)

SUBPART 13 Section 6.5., Zoning Districts, Property Development Regulations, is amended to add and delete language as follows:

B. General exceptions.....

5. Minimum lot dimension exceptions. Projects which are granted the ability to develop above the standard density pursuant to the applicable provisions in the Comprehensive Plan may develop single-family units according to the single-family residential (RS) zoning district property development regulations in the ULDC.

- 6. RM, Multi-Family Residential (Medium Density) District.**
- a. Multifamily units shall be permitted on property in the RM zoning district with a MR5 land use designation and considered consistent with the Comprehensive Plan subject to the following:
- (1) a written determination that the property meets the criteria for a Non-Planned Development District (PDD) Density Exemption in the Comprehensive Plan; and
- (2) the property was zoned RM prior to the adoption of the 1989 Comprehensive Plan (rezoning property with MR5 land use to the RM district shall be prohibited).
- b. The approval process shall be as follows.

<u>UNITS</u>	<u>PROCESS</u>
<u>0-4</u>	<u>Building Permit Only</u>
<u>5-8</u>	<u>DRC Site Plan Approval</u>
<u>9-16</u>	<u>Class B Conditional Use</u>
<u>Over 16</u>	<u>Class A Conditional Use</u>

c. Legally permitted multifamily units in RM zoning with MR5 land use may be redeveloped in compliance with Section 6.5. (Property Development Regulations).

7. Infill subdivisions. Single family dwelling units in projects which meet the criteria in Policy 1.2.2.a. of the Comprehensive Plan or utilize the TDR Program may develop according to the Residential Single Family (RS) property development regulations in the ULDC.

D. Density....

3. Maximum density. Densities in excess of the maximum permitted in Table 6.5-1 shall be permitted in the RM and RH districts only if one (1) of the following conditions apply are met.

4. Maximum density when utilizing TDR units. Densities in excess of the maximum in Table 6.5-1 shall be permitted in all residential zoning districts in the Urban Service Area provided that the additional dwelling units are Transfer of Development Rights (TDR) units pursuant to Sec. 6.10 (Transfer of Development Rights).

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SUBPART 14 Section 6.5.H.5., Zoning Districts, Property Development Regulations, Building height, Exceptions to height regulations, is amended to add and delete language as follows:

5. **Exceptions to height regulations.** Except for structures located within a regulated Airport zone, the height regulations of this section shall not apply to the following:

1. Church spires and religious domes.

SUBPART 15 Section 6.5.I., Zoning Districts, Property Development Regulations, Exceptions to property development regulations, is amended to add and delete language as follows:

I. **Exceptions to property development regulations.**

y. An accessory residential dock, shared by abutting residential parcels only, subject to the submittal of an executed construction and maintenance agreement, prepared in a manner and form acceptable to the County Attorney and the Zoning Director.

z. Bus shelters and bus benches.

SUBPART 16 Section 6.5.J., Zoning Districts, Property Development Regulations, District Specific Regulations, is amended to add language as follows:

10. Additional requirements for non-residential land uses on property abutting S.R. 80 in the Rural Tier. To maintain the character of the Rural Tier, and implement the goals and objectives in the Comprehensive Plan, the Zoning Commission and BCC may impose conditions of approval on non-residential property in the Rural Tier as follows.

a. **Conditions.** Conditions imposed by the reviewing body may exceed ULDC requirements by up to five hundred (500) percent based on the size, lot depth and width of the site, compatibility with surrounding land uses, and impact of the proposed use on the surrounding area. Conditions may include, but are not limited to: additional setbacks, landscaping, buffering, screening and equestrian trails; and more restrictive signage, lighting, access, and hours of operation. The dedication of equestrian trails may only be required when there is rough proportionality between the required equestrian trail and the needs of the community caused by the development.

b. **Buffers.**

(1) **Retention/detention areas.** If imposed conditions require a minimum buffer which is one hundred (100) percent larger than the ULDC required buffer, dry retention/detention areas may overlap up to fifty (50) percent of the buffer width. Wet retention/detention areas, water management tracts, and easements may overlap up to twenty-five (25) percent of the buffer width.

SUBPART 17 Section 6.6.A.9.b.(1), Zoning Districts, Supplementary Regulations, Accessory uses and structures, Swimming pools and spas is amended to add and delete language as follows:

b. **Setbacks for pools and spas.** Setbacks shall be measured to the water's edge:

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Setbacks	Front	Side interior	Side corner	Rear
Single family	28 feet	10.5 feet	18 feet	10.5 feet
Zero lot line	23 feet	0 lot line - 3 feet Opposite lot line - 5 feet	23 <u>18</u> feet	5 feet
...				

SUBPART 18 Section 6.6.A.10.b.(1), Zoning Districts, Supplementary Regulations, Accessory uses and structures, Screen enclosures is amended to add and delete language as follows:

(1) **Setbacks.** Setbacks for screen enclosures with screen roofs shall be measured as specified in the chart below.

Setbacks	Front	Side Interior	Side corner	Rear
Single family	25 feet	7.5 feet	15 feet	7.5 feet
Zero lot line				
Zero lot line side	20 feet	0 feet	10 feet	2 feet
Opposite lot line	20 feet	2 feet	40 <u>15</u> feet	2 feet
...				

SUBPART 19 Section 6.7.B., Zoning Districts, Overlay District Regulations, is amended to add and delete language as follows:

B.WCRA-O, Westgate/Belvedere Homes Overlay District.

1. **Purpose and intent.** The Westgate/Belvedere Homes Community Redevelopment Agency (~~Westgate/Belvedere Homes CRA~~) (WCRA) was created pursuant to Sec. 163.330, et. seq., Fla. Stat., to remove blighted conditions, enhance the County's tax base, improve the living conditions, and preserve areas of low and moderate cost housing in the Westgate/Belvedere Homes area of unincorporated Palm Beach County. The use of community redevelopment powers enables the Palm Beach County Board of County Commissioners (BCC) and the ~~Westgate/Belvedere Homes CRA~~ WCRA to make public improvements that encourage and enhance private investment and while providing neighborhood stability, ~~prevent continuation of inefficient and incompatible land use patterns, and assist revitalization and rehabilitation of older commercial and residential areas in the Westgate/Belvedere Homes area.~~

~~In recognition of the special needs of the Westgate/Belvedere Homes area, t~~ The Westgate/Belvedere Homes Community Redevelopment Study Area Overlay (WCRA-O) district is established with the purpose and intent of: encouraging development and redevelopment of the Westgate/Belvedere Homes area through regulatory incentives; arresting deterioration of property values; preserving and

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1 protecting existing, viable affordable housing; and providing opportunity for the
2 future development of affordable housing; ~~and implementing the WCRA Plan~~
3 ~~Westgate/Belvedere Homes Community Redevelopment Plan; and under certain~~
4 circumstances, providing for increased residential densities ~~and an increase of up~~
5 to twenty (20) percent in the amount of land designated as commercial on the
6 Land Use Atlas Map without amendment to the Palm Beach County
7 Comprehensive Plan. without amendment to the Palm Beach County
8 Comprehensive Plan.

9 **2. Applicability.** ~~These provisions of the WCRA-O district shall apply to all~~
10 development within the boundaries of the WCRA-O district. In addition, ~~to the~~
11 provisions in the ~~WCRA-O district, all development in the district shall comply with~~
12 all other requirements of this applicable Code requirements ~~and all other relevant~~
13 Palm Beach County regulations.

14 **3. Boundaries.** The WCRA-O district consists of those lands within unincorporated
15 Palm Beach County bounded by Okeechobee Boulevard on the north, Belvedere
16 Road on the south, Florida Mango Road on the east, and Military Trail on the
17 west. This description does not limit the WCRA's ability to amend its boundaries.
18 The WCRA-O district shall be amended as appropriate needed to conform to any
19 boundary changes of the Westgate/Belvedere Homes Community
20 Redevelopment Area.

21 **4. Conflict with other applicable regulations.** Where the provisions of the WCRA-
22 O district are in conflict with other regulations applicable to the ~~WCRA-O~~ this
23 district, the provisions of this section shall prevail. Where provisions of the WCRA-
24 O district are not in conflict with other relevant applicable regulations, the ~~stricter~~
25 most restrictive regulations shall prevail.

26 **5. Procedures.** Prior to initial Development Review Committee (DRC) certification
27 of all requests for Official Zoning Map Amendments (rezonings), Conditional
28 Uses, and Development Review Committee only items, all applicants shall obtain
29 a recommendation from the WCRA. Prior to the certification or approval of all
30 requests for any zoning, rezoning, density bonus, variance to a ~~WCRA-O~~
31 requirement, Comprehensive Land Use Plan Amendments, Density Bonuses,
32 Variances or CRA Master Plan Amendments for projects within the ~~WCRA-O~~ all
33 applicants shall obtain a recommendation from the WCRA, Westgate/Belvedere
34 Homes Community Redevelopment Agency and All applicants shall show provide
35 proof of payment of any applicable ~~Westgate/Belvedere Homes Community~~
36 Redevelopment Agency WCRA review fee for such.

37 **6. ~~Site Plan/Final Subdivision Plan review~~ Development Review Committee.** All
38 new commercial ~~or~~ and industrial developments, and residential developments
39 consisting of more than two (2) dwelling units shall be subject to DRC approval
40 the ~~Site Plan/Final Subdivision Plan review process.~~

41 **7. ~~Amendment of Official zZoning mMap~~ Amendments within WCRA-O district.**
42 All Official Zoning Map Aemendments to the ~~Official Zoning Map~~ within the
43 WCRA-O district requests shall comply with the following standards.

44 **a. Industrial districts zoning map amendment.** Any amendment to the Official
45 Zoning Map to an industrial district may be made on land request to rezone
46 parcels located in the Flight Path of the Palm Beach International Airport ~~without~~

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1 an amendment to the Land Use Atlas of the Comprehensive Plan to an industrial
2 land use designation to an industrial district shall not require a Comprehensive
3 Land Use Plan Amendment.

4 **b. Commercial districts zoning map amendment.** Any amendment to the Official
5 Zoning Map request to rezone parcels to a commercial district or Planned
6 Development District, requiring a commercial land use designation, may be made
7 on lands without a commercial designation on the Land Use Atlas of the shall not
8 require a Comprehensive Land Use Plan Amendment, provided the following
9 criteria are met.

10 **(1) Designation Twenty (20) percent (%) limitation.** The rezoning request shall
11 not increase the existing area with The commercial future land use
12 designations in the WCRA-O district in the Comprehensive Plan shall not be
13 exceeded by more than twenty (20) percent above the acreage shown on the
14 Future Land Use Plan Atlas at the time of Comprehensive Plan adoption in
15 1989. of the total area The areas with a commercial future land use
16 designation shall be identified on the Comprehensive Plan Future Land Use
17 Map.

18 **(2) Purpose.** The proposed amendment to the Official Zoning Map rezoning
19 request advances the purpose and intent of the Westgate/Belvedere Homes
20 Community Redevelopment WCRA Plan, and does not have an adverse a
21 negative impact on surrounding land uses.

22 **(3) Standards WCRA recommendation.** The proposed amendment to the
23 Official Zoning Map rezoning request receives is recommended for a
24 favorable recommendation from approval by the Westgate CRA WCRA in
25 accordance with the standards established in the Westgate/Belvedere Homes
26 Redevelopment WCRA Plan.

27 **8. Overlay district uUses.** In the WCRA-O District, no development shall be
28 permitted except for tThe following uses shall be permitted in the WCRA-O
29 subject to the appropriate review process:

30 **a. Permitted uses.** Uses permitted by right in the underlying zoning district
31 are shall be permitted as a by right in the WCRA-O District. Additionally,
32 residential land uses shall be permitted in the commercial land use
33 subcategories as described in the Palm Beach County Comprehensive
34 Plan.

35 **(1) Special provisions for uses developed in CG, General Commercial**
36 **zoning district (CG)s within the WCRA-O District.** Due to the
37 compact nature of the existing development pattern within the WCRA-O
38 District, special provisions for uses developed in CG, General
39 Commercial zoning districts shall apply. These special conditions shall
40 also apply in cases pursuant to the adopted CRA Master Plan, where
41 the implied zoning district is CG, or where the CG zoning district has
42 been granted through the land development process of the ULDC.

43 **(a) Office/warehouse uses.** Requests for office/warehouses shall be
44 subject to Class A Conditional Use approval. In addition, the following
45 supplementary requirements shall apply: Limited permitted uses:
46 Commercial uses for lots fronting only on Wabasso Drive, Tallahassee
47 Drive, Seminole Boulevard, Osceola Drive, Loxahatchee Drive,
48 Suwanee Drive, Cherokee Avenue or Nokomis Avenue shall be limited
49 to data information processing, park, and office, business and
50 professional as defined in Sec. 3.2 excluding employment agencies,
51 travel agencies and contract post offices. Lots fronting only on

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Nokomis Avenue shall be permitted the above uses provided nonresidential structures are limited to 1500 sq. feet. The above uses shall be conducted only between 7:00 a.m. and 6:00 p.m., Monday through Saturday.

~~(b) i) Office/warehouse uses in the CG district.~~ Developments within the WCRA-O District may obtain approval for an Accessory office space, supporting the warehouse use, shall occupy a minimum of twenty-five (25) percent of the gross floor area, by conditional use type A, subject to the following supplementary regulations:

i) ~~Minimum.~~ The minimum percentage of office space supporting the warehouse use shall be twenty-five (25) percent of the gross floor area.

ii) Bay Doors. Orientation of storage b Bay doors shall not face any abutting residential property, which is residentially zoned, nor shall they be visible from any Bay doors shall not face public streets, unless a landscape betterment plan has been submitted.

iii) Separation. There shall be a minimum of fifteen (15) feet ten (10) foot separation between individual office-warehouse buildings within an office-warehouse combination.

(2) ~~Description of s~~Special land use developments designations within the WCRA-O District. In order to encourage the development of compatible projects, two The following special land use designations would be developed under developments may be permitted in the CG, General Commercial zoning district and under the IL, Light Industrial zoning districts for the WCRA-O District pursuant to the following standards.

(a) ~~Westgate m~~Mixed-use commercial. The purpose of this special land use designation development is to encourage lower intensity, mixed-use commercial development along the south side of Westgate Avenue. In order to provide opportunities for residential components within mixed-use developments, d Developers shall be permitted to request an increase in the residential density beyond the underlying 8 units per acre by availing drawing from the pool of the 300 bonus residential units assigned to the area through pursuant to the Palm Beach County Comprehensive Land Use Plan. The use of the bonus units shall be, and subject to approval by the Board of County Commissioners and the Community Redevelopment Agency WCRA. In further recognition of the special character of this area, t The minimum lot size for this special land use designation development is shall be one half (0.5) acre, thereby amending the lot size requirements of the CG zoning district as shown in table 6.5.1 for this land use designation only. All other requirements applicable provisions of this code the ULDC shall apply. In addition, developers The WCRA-O mixed land use designation shall comply with the design requirements of the MXPD section to the greatest extent practicable possible.

(b) Soft-edged industrial. The purpose of this industrial designation as indicated on the WCRA-A master plan special land use development is to ensure that adequate screening and buffering is provided in areas adjacent to existing residential development. The expanded increased landscaping and buffering requirements, and the provision for "cleaner" and compatible light industrial development shall only be required for areas that are currently shown as with an Industrial land use designation.

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on the County Land Use Plan. In addition, all applicable provisions for the IL zoning district shall apply. The property frontage of developments within this land use designation shall comply with be developed the right-of-way buffer requirements pursuant to Sec. 7.3 of the ULDC ~~along the public right-of-way.~~

b. Special permit uses. ~~Uses subject to special permit regulations permitted in the underlying zoning district, except for adult entertainment establishments and day-labor employment centers,~~ subject to special permit regulations, shall be permitted in the WCRA-O ~~in accordance with the special permit regulations of the underlying zoning district, and Sec. 5.5~~ except for the following:

(1) Adult entertainment establishments and day-labor employment centers shall be prohibited.

c. Class A and Class B Conditional Uses. Conditional uses in the underlying zoning district shall be permitted ~~in the WCRA-O District in accordance with pursuant to~~ the use regulations of the underlying zoning district and all other conditions and provisions and other regulations as set forth and defined in the applicable ULDC regulations or within the WCRA-O district. In addition, the following shall apply.

(1) Parcels two (2) acres or less. Uses on parcels two (2) acres or less in size that pursuant to Sec. 6.4., require Class A Conditional Use approval, may be approved through the Class B Conditional Use process. This process may also be followed for Development Order Amendments.

(2) Additionally, any residential or industrial Commercial uses. Any commercial land uses may be approved as conditional uses, subject to the following.

(4) (a) Twenty (20) percent (%) Limitations. ~~The request commercial land use designations in the WCRA-O District in the Palm Beach County Comprehensive Plan shall not be exceeded by more than twenty (20) percent of the total increase the existing area with a commercial future land use designations in the WCRA-O by more than twenty (20) percent above the acreage shown on the Future Land Use Plan Atlas at the time of Comprehensive Plan adoption in 1989. The areas with commercial future land use designation shall be identified on the Comprehensive Plan Future Land Use Map.~~

(2) (b) Purpose. The proposed conditional use ~~commercial development~~ advances the purpose and intent of the ~~Westgate/Belvedere Home Community Redevelopment WCRA Plan,~~ and does not have an adverse a negative impact on surrounding land uses.

(3) (c) Standards WCRA recommendation. The conditional use is recommended for approval by the ~~Westgate/CRA~~ receives a favorable recommendation from the WCRA in accordance with the standards established in the ~~Westgate/Belvedere Homes Redevelopment WCRA Plan.~~

9. Property development regulations. The development of lands within the WCRA-O district shall be subject to the property development regulations of the underlying district, except for the following:

a. Residential density bonus. Residential densities permitted by the underlying

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Comprehensive Plan Future Land Use Atlas Map designation of the Comprehensive Plan may be increased by the Board of County Commissioners BCC through pursuant to the Class A eConditional uUse process, provided that:

(1) **Purpose.** The proposed residential development advances the purpose and intent of the WCRA-O₁ district, the goals, objectives, and policies of the Comprehensive Plan, the Westgate/Belvedere Homes Community Redevelopment WCRA Plan, and does not have an adverse affect a negative impact on any surrounding land uses;

(2) **Criteria.** The increased densities are request is consistent with the criteria established in the Westgate/Belvedere Homes Community Redevelopment WCRA Plan for the increase of residential densities, and does not have an adverse effect on any surrounding land uses;

(3) **Total Number of units.** The additional residential units permitted do not exceed a cumulative total of three hundred (300), pursuant to the Comprehensive Plan, dwelling units, These units shall be exempt from the County's Voluntary Density Bonus Program application process and procedures, as had been originally allocated to the WCRA-O district by the Comprehensive Plan. After the Following exhaustion of the housing pool, has been exhausted, requests for density increases may be approved by the Board of County Commissioners through the Comprehensive Plan amendment process pursuant to the County's Voluntary Ddensity Bonus pPrograms set forth in this code application process, provided

(4) **Recommended.** The proposed residential density bonus is initially recommended by the Westgate WCRA.

(4) (5) **Dispersion.** The WCRA-O district currently provides areas of low and moderate income housing. In accordance with Policy 2-g. of the Housing Element of the Comprehensive Plan, there shall be a dispersal of the concentration of low income households. Therefore, in order to encourage an equitable geographic distribution of development, the Voluntary Density Bonus criteria may not be applicable when increased densities are requested. Pursuant to Objective 1.5 of the Housing Element of the Comprehensive Plan, low income households shall not be concentrated in one area. The Voluntary Density Bonus criteria may not be applicable when increased densities are requested.

b. Residential Development Standards. In addition to the development standards contained in this Code the ULDC, the following special development standards shall be required of all residential development within the WCRA-O district, at or before the time of construction or as deemed appropriate by the County.

(1) **Awnings/canopies. Permitted obstructions.** Awnings or canopies, projecting from a building attached to walls, may encroach over a setback not shall not project more than five (5) feet, into the required setback, and shall have no supports In addition, they shall not be supported by any means other than provided by the wall or its integral parts.

(2) **Affordable housing Flexible regulations.** Requests to deviate from certain property for flexible development regulations, (specifically indicated as flexible regulations within pursuant to Sec. 6.5.E. of this Code the ULDC or the WCRA-O as adopted or as may be amended) shall be encouraged as an incentive to promote authorized for affordable owner occupied infill housing subdivision, within the WCRA, and shall be authorized for an affordable housing subdivision, provided such dwelling units meet the Federal Department of H.U.D. definition of affordable for Palm Beach County and that such deviations are recommended by the W/BHCRA.

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(3) **Minimum frontage.** Parcels accommodating single family houses shall have a minimum frontage of fifty (50) feet on a public right-of-way.

(4) **Open space for multi-family development.** Forty-five (45) percent of the total site for multi-family development shall be designated as open space. Sixty (60) percent of that total on-site open space shall be designated as usable open space. Open space requirements may be reduced subject to BCC and WCRA approval on a case-by-case basis.

c. ~~Special standards for nonresidential development~~ **Nonresidential development standards.** In addition to the development standards contained in this Code, the following special development standards shall be required of all nonresidential development within the WCRA-O district, at or before the time of construction as deemed appropriate by the County.

(1) ~~Permitted obstructions.~~ **Awnings/canopies.** Awnings or canopies, attached to walls, shall not project from a building wall over a sidewalk not more than five (5) feet, and having no supports into the required setback. In addition, they shall not be supported by any means other than provided by the wall or its integral parts.

(2) **Buffers.**

(a) **Criteria Residentially zoned parcels with residential land use.** ~~All~~ any proposed commercial or industrial uses shall provide upgraded buffer areas of a minimum of ten (10) feet in width ~~on~~ along all property boundaries that are contiguous to existing residential uses or land designated as residential by the Future Land Use Atlas of the Comprehensive Plan. These buffer areas shall also be required for nonresidential land uses abutting Nokomis Avenue and Cherokee Avenue, and on any parcel indicated as Bonus Commercial Receiving Area on the W/BHCRA Master Land Use Plan map. The upgraded buffer shall include:

i) **Six foot wall or fence.** ~~A six (6) foot high opaque concrete block wall; textured or surfaced with stucco or other appropriate materials; that coordinate with or are consistent with the design and colors of the principal structure on the property and finished on both sides; shall be permitted, or a decorative fence approved by the CRA Board. Barbed wire shall be prohibited.~~

ii) ~~within the area designated as Bonus Commercial Receiving Area on the W/BHCRA Master Land Use Plan map. Chain link fencing with barbed wire topping shall not be permitted.~~ **Bonus commercial receiving area.** A six (6) foot high chain link or other decorative fence, approved by the WCRA, may be permitted with the consent of the immediately abutting property owners and/or property owner(s) directly across the right-of-way. Hedge material, maintained at a height of 60 inches, and native canopy trees spaced pursuant to Sec. 7.3 of the ULDC shall be required. Barbed wire shall be prohibited.

iii) **Hedge.** A hedge of native vegetation twenty-four (24) inches in height, spaced twenty-four (24) inches on center at planting; and

iiiv) **Native canopy trees.** ~~The planting of n~~ Native canopy trees, a minimum of twelve (12) feet in height with a minimum six (6) foot spread, spaced twenty (20) feet on center, shall be planted. ~~For buffers required on Nokomis Avenue and Cherokee Avenue, required canopy trees shall be placed on alternating sides of the wall, and spaced twenty (20) feet on center.~~

(b) **Criteria Residentially zoned parcels with commercial land use.** Commercial uses adjoining adjacent to residential districts having a with

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commercial land use designation, ~~on the Future Land Use Atlas of the Comprehensive Plan~~ and commercial uses ~~contiguous~~ adjacent to residential uses in commercial districts shall provide a minimum five (5) foot wide landscape buffer along shared residential property lines. This buffer shall include:

- i) **Six foot wall or fence.** A six (6) foot high opaque concrete block or wall ~~or solid wood fence with vines planted six (6) feet on center along the inside of the fence;~~ chain link fence shall be permitted, but with no barbed wire topping, or a decorative fence approved by the CRA Board.
 - ii) **Hedge.** A hedge a minimum of forty-eight (48) inches in height, spaced thirty-six (36) inches on center at planting, to be maintained at a height of sixty (60) inches; and planted on the outside of the fence or wall; and
 - iii) **Native canopy trees.** Native canopy trees, a minimum ~~fourteen (14)~~ twelve (12) feet in height, with a minimum six (6) foot spread, spaced twenty (20) feet on center at planting.
 - iv) **Alternative landscape plan.** An alternative landscape plan, approved by the WCRA and meeting minimum standards of the ULDC, may be substituted for the above.
- (3) **Exterior speaker systems prohibited.** Outdoor audio speaker systems that are audible from adjoining residential property lines shall be prohibited.
- (4) **Streetscape and Landscaping.** All development shall comply with the standards of Sec. 7.3 (Landscaping and Buffering). Development with frontage on Wabasso Drive, Congress Avenue, Seminole Boulevard and Westgate Avenue or the ~~frontage of any public right-of-way of a development within any area designated as Soft-Edged Industrial on the W/BHCRA Master Land Use Plan map shall comply with the streetscape design guidelines of the Westgate/Belvedere Homes Community Redevelopment Area Plan.~~
- (5) **Signage.** Signage shall comply with the requirements of Sec. 7.14 of the Unified Land Development Code (Signage), and shall also be subject to with the following exceptions standards.
- ~~(a) Prohibited signs. In addition to the signs prohibited by Sec. 7.14, the following types of signs shall also be prohibited in the WCRA-O district:~~
- ~~i) Flashing signs;~~
 - ~~ii) Any flag where its longest side is greater in length than twenty (20) percent of the length of the flagpole or standard;~~
 - ~~iii) Advertising flags, foreign flags, pennants, banners, streamers and balloons;~~
 - ~~iv) Electronic message boards;~~
 - ~~v) Bus bench advertising; and;~~
 - ~~vi) Rooftop and billboard signs.~~
- (a) (b) Sign face. Signs shall be limited to one (1) square foot per two (2) linear feet of frontage up to a one hundred (100) square foot maximum, ~~with a limit of one (1) sign shall be permitted for per frontage per every two hundred (200) feet of frontage;~~ except for pProperties fronting on Okeechobee Boulevard, Military Trail, Congress Avenue, Westgate Avenue and Belvedere Road shall be exempt from these regulations.
- (b) (c) Tenant identification sign. All tenant identification signs shall be unified in design, ~~and tThose not attached to the building shall be located within a single cabinet or frame;~~ except for pProperties fronting on Okeechobee Boulevard, Military Trail, Congress Avenue and Belvedere Road shall be exempt from these requirements.
- (c) (d) Setback. Signs shall be setback ~~at least a minimum of five (5) feet from any sidewalk. No portion of any sign may be placed so as to overhang the public right-of-way;~~ except for pProperties fronting on Okeechobee

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- Boulevard, Military Trail, Congress Avenue and Belvedere Road shall be exempt from these requirements.
- (d) ~~(e)~~ **Pole signs.** Pole signs shall ~~be limited to~~ not exceed fifteen (15) feet in height, ~~with monument signs used~~ shall be encouraged to the maximum extent possible, ~~except for properties fronting on Okeechobee Boulevard, Military Trail, Congress Avenue and Belvedere Road~~ shall be exempt from these requirements.
- (e) ~~(f)~~ **Commercial uses along Cherokee and Nokomis.** ~~Fronting on Wabasso Drive, Tallahassee Drive, Seminole Boulevard, Osceola Drive, Loxahatchee Drive, Suwannee Drive, Parcels with frontage on Cherokee Avenue and Nokomis Avenue shall not have~~ be prohibited from installing pole signs. ~~Likewise, their~~ Sign face shall be limited to ~~twelve~~ sixteen (16) square feet (12 sq. feet) per side and shall not be illuminated ~~in any way.~~
- (6) **Prohibited signs.** In addition to the signs prohibited by Sec. 7.14, the following shall also be prohibited in the WCRA-O district:
- (a) any flag where its longest side is greater in length than twenty (20) percent of the length of the flagpole or standard;
 - (b) balloons;
 - (c) electronic message boards; and
 - (d) billboard signs.
- ~~(7)~~ **(6) Lighting.** All development shall comply with the following lighting standards, in addition to those requirements in Sec. 6.6 (Outdoor lighting standards).
- (a) **Casting of illumination.** ~~All types of~~ illumination shall be downcast and shall not overflow to adjacent property.
 - (b) **Wall fixtures lights.** Attached wall fixtures ~~lights~~ shall be mounted no higher than five (5) feet above the first story. ~~They and~~ shall not be located on building roofs.
 - (c) **Parking lot lighting fixtures.** Parking lot lighting fixtures shall ~~be a maximum of~~ not exceed twenty-five (25) feet in height high, and shall be located a minimum of forty (40) feet apart.
 - (d) ~~Prohibition of r~~ **Roof top lighting.** Roof top lighting shall be prohibited.
 - (e) **Scaling Height of light fixtures.** Lighting fixtures shall be scaled to pedestrians, and shall be ~~appropriate in design to~~ compatible with the building and site.
- ~~(8)~~ **(7) Building design.**
- (a) **Materials.** The use of imitation rock, imitation wood, corrugated metal, fiberglass siding or other such materials shall be prohibited.
 - (b) **Color.** Earth or neutral tones ~~should~~ shall be used encouraged as the dominant background color of a structure.
 - (c) **Roof, trim, and awnings.** Roof, trim, and awnings and canopy accent colors shall be ~~coordinated~~ compatible with building colors.
 - (d) **Screening.** Materials similar to that of the primary structure shall be used to screen mechanical equipment, utility structures, and trash receptacles.
 - (e) **Entrances to buildings.** Additional entries to the building from side or rear parking lots are encouraged.
 - (f) **Building facade.** Detailing of the building facade should be appropriate to the building size.
 - (g) **Building design.** Building design shall meet the provisions of the 1990 Americans with Disabilities Act (ADA).
 - (h) ~~Floor area ratio.~~ Unless otherwise restricted by this code, all commercial lots fronting on Wabasso Drive, Tallahassee Drive, Seminole Boulevard, Osceola Drive, Loxahatchee Drive, Suwannee Drive, Cherokee Avenue and Nokomis Avenue, the FAR shall be twenty (20) percent.
 - (i) Height. For all eCommercial lots fronting buildings with frontage on

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- Wabasso Drive, Tallahassee Drive, Seminole Boulevard, Osceola Drive, Loxahatchee Drive, Suwanee Drive, Cherokee Avenue and Nokomis Avenue, no building shall be more than shall be limited to one story and shall not exceed twenty (20) feet in height including a pitched roof.
- (9)(8) Nonresidential fences.** For nonresidential development, fences shall, by January 1, 1995, be located on the interior of any required front yard landscape buffer.
- (10) ~~Lot frontage and access designated in c~~Commercial land use strip area.** A two (2) lot tier commercial land use strip, ~~depicted by~~ pursuant to the Land Use Atlas Map, along Westgate Avenue is established for the area bounded by Cherokee Avenue on the north, Nokomis Avenue on the south, Congress Avenue on the east and the section line between Section 25, T43S, R42E and Section 30, T43S, R43E on the west. Commercial development within this area shall comply with the following standards.
- (a) Front footage Minimum frontage.** A minimum frontage of fifty (50) feet shall be established along Westgate Avenue, Nokomis Avenue, Cherokee Avenue, Wabasso Drive, Tallahassee Drive, Seminole Boulevard, Osceola Drive, Loxahatchee Drive and Suwanee Drive.
- (b) Access.** Primary access for all CG uses and Conditional Uses shall be permitted only ~~to~~ from Westgate Avenue, Wabasso Drive, Tallahassee Drive, Seminole Boulevard, Osceola Drive, Loxahatchee Drive and Suwanee. ~~for all General Commercial District Uses including Class A and B Conditional Uses except that a~~ Access to Nokomis Avenue Cherokee Avenue may be permitted if Nokomis Avenue ~~it~~ is paved in a manner acceptable to the County Engineer. ~~For corner lots, secondary access may be permitted on Wabasso Drive, Tallahassee Drive, Seminole Boulevard, Suwanee Drive, Osceola Drive, and Loxahatchee Drive.~~ Primary access on Nokomis Avenue and Cherokee Avenue shall be permitted for professional office use only.
- (c) Integrated site plan.** The owner of a lot that does not front on Westgate Avenue, shall be allowed to ~~amend the Official Zoning Map~~ rezone to a commercial use if it is combined in an integrated site plan with ~~a lot or lots~~ fronting on Westgate Avenue. ~~The Board of County Commissioners BCC~~ may permit emergency access from Nokomis Avenue. Secondary access may be permitted ~~to~~ from Nokomis Avenue pursuant to Sec. 6.7.B.8.a.
- (11) Base building line.** The forty (40) feet wide visual buffer requirement of Sec. 6.5.G.7.a shall not apply to those lots abutting Westgate Avenue between Congress Avenue and Military Trail. The base building line for said lots shall be the existing R-O-W line of Westgate Avenue.
- (12) Parking.** Required and display parking shall be permitted pursuant to WCRA-O structure setback standards. Off-site parking at approved sites, and shared parking between separate parcels, shall be permitted. Unity of Control shall be required for shared parking.
- (13) Loading Zones.** Loading zones on sites under two (2) acres shall be allowed inside of parking areas after business hours.
- (14) Setback reductions.** Front setback from all commercial roads may be reduced to ten (10) feet, and when the adjacent parcel has an underlying commercial zoning district, the side setbacks may be reduced to five (5) feet.
- ~~**(9) Open space for multi-family development.** Forty-five (45) percent of the total site for multi-family development shall be open space. Sixty (60) percent of the total on-site open space shall be usable open space. Open space requirements may be reduced subject to Board of County Commissioners' and CRA Board approval on a case by case basis.~~

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10. Local Residential Streets.

a. **Construction in existing right-of-way.** ~~In the WCRA-O District, the County~~ The County Engineer may approve alternatives to the County standard design sections for local street construction in order to accommodate construction or reconstruction of paving and drainage improvements to an existing public local street, or segment thereof, ~~which, as of the effective date of this Code, has a~~ The eligible right-of-ways shall have a width of less than fifty (50) feet and a ~~vehicular travelway shall be~~ maintained by the County. Said alternative design(s) shall provide for paved travelway widths, structural sections, drainage, pedestrian access, dead-end turnarounds, and safe sight corners as prescribed by the County standards for local streets, or as deemed equivalent by the County Engineer. All required treatment and discharge control of stormwater runoff to the street drainage system shall be provided by secondary stormwater management facilities located outside the street right-of-way, permitted and constructed in accordance with applicable regulations of all agencies having jurisdiction over the receiving waters at the point of legal positive outfall.

b. **Access to residential subdivision lots.** In lieu of minimum legal access requirements pursuant to Sec. 8.22.A.2., ~~a~~ A local street improved pursuant to Sec. 6.7.B.10.a., and having continuous paved access to at least one public street on the perimeter of the WCRA-O District shall be deemed by the County Engineer to meet the requirement of local street access for residential lots created by subdivision of abutting property, ~~in lieu of minimum legal access requirements pursuant to Sec. 8.22.2.~~ Nothing herein shall prohibit the owner of abutting property from making application for and receiving appropriate approval of a final subdivision plan or waiver of platting prior to completion of the above-noted improvements; provided, however, that the applicable plat or affidavit of waiver shall not be approved for recordation until construction has commenced for said improvements.

11. **Stormwater Discharge Control.** For subdivision of land within the WCRA-O District where stormwater discharge from such land is regulated by a secondary stormwater system under a Surface Water Management Permit issued by South Florida Water Management District, the requirements for control of discharge pursuant to Sec. 8.24.F.2 shall be deemed waived.

SUBPART 20 Section 6.7.E., Zoning Districts, Overlay District Regulations, PBIA-O, is amended to add language as follows:

7. Use regulations.

a. **Permitted ~~u~~Uses.**

(1) **Permitted uses.** All residential, commercial, and industrial uses permitted by right in the underlying district shall be permitted in the PBIA-O district.

(2) **Prohibited uses.** ~~In no case shall~~ Adult entertainment establishments, bulk storage of gas and oil, and outdoor retail sales (other than greenhouses or nurseries) shall be permitted prohibited in the PBIA-O district.

...

SUBPART 21 Section 6.7.I., Zoning Districts, Overlay District Regulations, is amended to add language as follows:

6.7.I. SCGCF-O, Sugar Cane Growers Cooperative of Florida Overlay

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1 a. Purpose and intent. The purpose and intent of the Sugar Cane Growers
2 Cooperative of Florida Overlay (SCGCF-O) district is to maintain the integrity of
3 bona fide agricultural operations related to the cultivation and processing of sugar
4 cane, by prohibiting the encroachment of incompatible land uses and/or activities.
5 It will also provide opportunities for the inclusion of related accessory and supporting
6 uses and/or activities in close proximity to the existing mill.

7 b. Applicability. The provisions of the SCGCF-O district shall apply to all development
8 within its defined boundaries.

9 c. Boundaries. The SCGCF-O district includes all of Sections 21 and 28, the eastern
10 half of Sections 20 and 29, Township 43 Range 37, excluding completely the
11 western half of Section 29. These boundaries shall be delineated on Palm Beach
12 County's Official Zoning Map.

13 d. Conflict with other applicable regulations. Where the provisions of this SCGCF-O
14 district conflict with other applicable ULDC regulations, the provisions of this section
15 shall apply.

16 e. Use regulations. The following uses shall be permitted in the SCGCF, subject to
17 Section 6.4.D of the ULDC (Supplementary Use Standards).

18 Permitted uses:

19 <u>Agriculture, bona fide</u>	<u>Machine or welding shop</u>
20 <u>Agricultural food processing</u>	<u>Nursery, wholesale</u>
21 <u>Agricultural production</u>	<u>Park, passive</u>
22 <u>Agricultural related manufacturing</u>	<u>Shadehouse, accessory - (2,000</u>
23 <u>Agricultural research / development</u>	<u>square feet or less)</u>
24 <u>Agricultural transshipment</u>	<u>Storage, indoor agricultural</u>
25 <u>Groves / row crops</u>	<u>Storage, outdoor agricultural</u>
26 <u>Livestock raising - (five (5) or fewer</u>	<u>Warehousing</u>
27 <u>animals per acre)</u>	

28 Special uses:

29 Agricultural stand
30 Recycling drop off bin
31 Security / caretaker quarters

32 Development Review Committee uses:

33 Agricultural sales and service
34 Chipping and mulching
35 Communication towers, commercial
36 Composting facility
37 Government services
38 Heavy industry
39 Packing plant
40 Park, public
41 Potting soil manufacturing
42 Shadehouse, accessory - (greater than 2,000 square feet)
43 Utility, minor
44 Vocational school
45 Water or wastewater treatment plant

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Class A Conditional uses:

Electrical power facility

Livestock raising, commercial - [more than five (5) animals per acre]

Sugar mill or refinery

6. Property development regulations. All development within the SCGCF-O shall be subject to the Property Development Regulations for the Light Industrial (IL) zoning district, pursuant to Table 6.5-1 of the ULDC.

7. General provisions. The provisions of this section shall apply to all proposed development and expansion of existing development.

SUBPART 22 Section 6.8.A.18., Zoning Districts, Planned Development District Regulations, General, Effect of Preliminary order for Preliminary Development Plan, is amended to add and delete language as follows:

18. Effect of development order for ~~Preliminary~~ a Planned Development Plan District. Issuance of a development order for a ~~Preliminary~~ Planned Development Plan District shall be deemed to authorize amendment to the Official Zoning Map consistent with the terms and conditions of the development order. ~~If an application for development permit for a Final Site Plan/Final Subdivision Plan is not approved within the time limits established in Sec. 5.8., Compliance with Time Limitations, the development order shall be subject to the review requirements of Sec. 5.8.~~

~~**A.AGR-PUD Special Provisions.** For the purpose of applying Sec. 5.8, any development permit within the preservation area shall not constitute a development order to vest the residential component of the PUD.~~

SUBPART 23 Section 6.8.A. Table 6.8-2, Zoning Districts, Planned Development District Regulations, Planned Development District Use Regulations Schedule, is amended to add and delete language as follows:

**TABLE 6.8-2
PLANNED DEVELOPMENT DISTRICT
USE REGULATIONS SCHEDULE**

Use Type	Planned Development Zoning District																				NOTE																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																								
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1 SUBPART 24 Section 6.8.B.5.c., Zoning Districts, PUD, Residential Planned Unit
2 Development District, Administration is amended to add and delete
3 language as follows:

4 c. Phasing controls and platting....

5 (2) Plat requirements. All land within the Planned Unit Development, including golf
6 courses, shall be platted. All golf courses and open space areas (including but not
7 limited to recreation and water retention) shall be platted prior to Technical
8 Compliance of for the last residential, commercial, civic site plat.

9 SUBPART 25 Section 6.8.B.6., Zoning Districts, PUD Residential Planned Unit
10 Development District, Land Uses, is amended to add and delete
11 language as follows:

12 (This space intentionally left blank.)

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1
2 b. Supplementary use standards....

3 (2) Residential pods....

4 (a) Accessory uses and structures....

5 (i) Permanent structures.

6 1) Real estate sales office, planned development, means, for the purpose
7 of Section 6.8, an office for the sale and resale of new and existing
8 residential units in a planned development. ~~A real estate sales office shall~~
9 ~~be permitted in the commercial pod indicated on the Preliminary~~
10 ~~Development Plan and subject to the property development regulations~~
11 ~~for commercial uses pursuant to Table 6.8-6, PUD Property Development~~
12 ~~Regulations. A temporary real estate sales and management office within~~
13 ~~a mobile home outside of a commercial pod shall comply with the~~
14 ~~requirements of Sec. 6.6, (Temporary structures).~~

15 a) Permanent. A permanent real estate sales office is permitted in a
16 commercial pod.

17 b) Temporary, pod. A temporary real estate sales office for the sale
18 of only new units shall be permitted in a residential pod or other
19 temporary location approved by the DRC. Sales shall be limited to
20 only new units in the pod. A temporary sales office in a mobile
21 home shall be subject to Section 6.6. (Temporary structures).
22 Sanitary facilities shall be available in the office. A temporary real
23 estate sales office shall be removed from the site prior to the
24 issuance of the CO for the last remaining unit in the pod. Temporary
25 access to the sales office may be permitted, subject to approval by
26 the DRC. The temporary access shall be limited to one year, unless
27 extended by the DRC.

28 c) Temporary, project. A temporary real estate sales office for the
29 sale and resale of units in the entire project, or phase of a project,
30 shall be permitted in a private civic pod, commercial pod, or
31 recreation pod, subject to approval by the BCC. A temporary sales
32 office in a mobile home shall be subject to Section 6.6. (Temporary
33 structures). Sanitary facilities shall be available in the office. A
34 temporary real estate sales office serving an entire project shall only
35 be permitted within a planned development and/or phase consisting
36 of 300 or more units. Sales shall be limited to only units within the
37 planned development. A temporary real estate sales office shall be
38 removed from the site prior to the issuance of the CO for the last
39 remaining unit in the project or phase, as applicable. Temporary
40 access to the sales office may be permitted, subject to approval by
41 the BCC.

42 Resale of existing units shall cease when the remaining number of
43 units without a CO in the project or phase, as applicable, reaches the
44 following:

45 (This space intentionally left blank.)

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No. Units in Project or Phase	Units Remaining w/out a CO
<u>1000 or more</u>	<u>20</u>
<u>500-999</u>	<u>16</u>
<u>300-499</u>	<u>12</u>

2) **Sales Model, planned development** means a residential unit used for the sale of only new units within a residential pod of a planned development. ~~s. Sales models shall be permitted if erected on the site pursuant to all applicable codes and ordinances. However, the executive director or director of PZ&B may temporarily waive a property development regulation to facilitate the use of the building as a sales model. Prior to the issuance of a final certificate of occupancy, the sales model shall comply with all applicable property development regulations. The number of sales models shall not exceed eight (8) in number, per pod. One of the sales models may be used for a temporary real estate office if sanitary facilities are approved by the appropriate government agencies. A minimum of eight (8) parking spaces shall be provided. The parking area shall be designed in accordance with Sec. 7.2, Off-street parking regulations, however, pavement, shellrock, or mulch may be utilized in the parking area with a stabilized subgrade. Sales models, including dry models, may be constructed prior to platting.~~

a) General. A maximum of eight (8) sales models may be constructed prior to platting. Subdivision approval of the sales model lots by the DRC shall be required prior to issuance of a building permit. Sales models shall comply with all applicable property development regulations prior to issuance of a certificate of occupancy (CO). A sales model may be used as a temporary real estate sales office.

i) Parking. A minimum of two (2) parking spaces per model shall be provided. The parking area shall comply with Section 7.2 (Off-street parking regulations).

ii) Duration. The use of a residential unit as a sales model shall cease prior to issuance of the CO for the last remaining unit in the pod.

b) Residential pod. A maximum of eight (8), or twenty (20) percent of the number of units in the pod, whichever is less, shall be permitted as sales models.

c) Model rows. Planned developments comprised of a total of three hundred (300) or more units may construct a model row for the project.

i) Number. A maximum of sixteen (16) sales models shall be permitted in the model row. A maximum of one model row shall be permitted for every three (3) pods under development, consisting of a minimum of sixty (60) units each.

ii) Location. A model row shall be located in a residential pod. The location of the model row shall be designated on the preliminary development plan at the time of BCC approval. Access to the model row shall be from a location approved by the BCC or allowed by the ULDC.

iii) Use. A model row shall be open to the public for the sale of only new units in the project. The sale or resale of units outside the project shall be prohibited.

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1 3) Noncomplying sales offices. All real estate sales offices in a planned
2 development which do not comply with this Section shall close within
3 twenty-one (21) months of the effective date of the ordinance amending
4 this Section.

5 4) 3) Gatehouses. Gatehouses for internal project security shall be
6 permitted if not in conflict with R-O-W and setback requirements of this
7 Code and the Palm Beach County Thoroughfare Plan.

8 5) 4) Utilities. Public or private utilities and accessory buildings and
9 structures shall be permitted, subject to compliance with all applicable
10 rules and regulations governing such facilities.
11 ...

12 **SUBPART 26 Section 6.9, Zoning Districts, Voluntary Density Bonus, is amended to**
13 **add and delete language as follows:**

14 **A. Purpose and Intent....**

15 1. The VDB accommodates provisions for the development of housing affordable to
16 very low and low income households in fulfillment of Policy ~~2-i-5~~ 1.1-f of the Housing
17 Element of the Comprehensive Plan....

18 2. The VDB addresses an equitable geographic distribution of affordable housing in
19 accordance with Policy ~~2-g~~ 1.5-b of the Housing Element of the Comprehensive
20 Plan.

21 3. The VDB addresses the preservation of affordability of units, designated under the
22 program, for Group A and Group B households in accordance with Policy ~~2-h~~ 1.1-o
23 of the Housing Element of the Comprehensive Plan.

24 4. The VDB provides for the implementation of Land Use Element Policy ~~7-a~~ 3.2-a and
25 that portion of the Land Use Element, Implementation Section which deals with
26 income restrictions on residential densities of greater than eight (8) units per acre.
27 ...

28 **D. General....**

29 **5. Limitations on restrictions....**

30 a. the need for the restriction in terms of providing housing for a specific target
31 group, e.g., disabled populations, ~~but not including the elderly~~, and the
32 assurances that the target group will, indeed, have access to the new housing,
33 ...

34 **7. Dispersal -External....**

35 d. The above information, along with other relevant information from the Palm
36 Beach County Affordable Housing Study, June, 1994, and developer supplied
37 information, shall be considered by staff and the LUAB/LPA in making
38 recommendations regarding equitable geographic distribution of affordable
39 housing for compliance with Housing Element Policy ~~2-g~~ 1.5-b.
40 ...

41 **SUBPART 27 Section 7.2., Site Development Standards, is amended to add and**
42 **delete language as follows:**

43 **B. Off-Street Parking and Loading....**

44 **Table 7.2-1, Minimum Off-Street Parking and Loading Standings, is deleted and**
45 **replaced by Table 7.2-1 found in Ordinance 99-37, and is amended as follows:**

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Use Type	Parking Regulations	Loading
...
Lounge, cocktail	1 space per <u>3 seats</u> 200 sq. ft.	C
...
Data Information Processing	1 space per <u>100</u> 250 sq. ft.	A
...

C. Off-street parking....

8. Planned Development District Parking Increases. The Development Review Committee (DRC) may authorize an increase in the maximum allowed number of parking spaces for ~~TNDs, MXPDs, MUPDs, and commercial pods of~~ PUDs planned developments.

a. Application. In addition to the applicable DRC application, the applicant shall submit a parking study and any additional documentation justifying the need for additional parking. The parking study shall include, but not be limited to the following:
(1) the location of the use(s) within the site requiring the additional parking;
(2) the size and type of use(s) and/or activitie(s); and,
(3) the rate of turnover and the anticipated peak parking loads.

b. Lot size.

(1) Lots less than ten (10) acres. Lots less than ten (10) acres in size may apply for a twenty (20) percent increase.
(2) Lots ten (10) acres or greater. Lots ten (10) acres or greater in size apply for a ten (10) percent increase.

~~4-9...~~
~~9- 10...~~
~~10-11...~~
~~11-12...~~
~~12-13...~~
~~13-14...~~
~~14- 15...~~
~~15-16...~~
~~16- 17...~~
~~17-18...~~

SUBPART 28 Section 7.2.C.17., Site Development Standards, Off-Street Parking and Loading, Off-street parking, Parking of vehicles and boats in residential districts, is amended to add and delete language as follows:

17. Parking of vehicles and boats in residential districts. The following standards shall apply to the parking of vehicles, recreational vehicles, boats and trailers in the residential districts. For the purposes of this section, the AR-RR, Agricultural Residential District in lands designated Rural Residential in the Comprehensive Plan, shall not be considered a residential district.

SUBPART 29 Section 7.6.F.2.d.(1), Site Development Standards, Excavation, Specific

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standards for each excavation type, Type I(B) Excavations, Separations and setbacks, is amended to add and delete language as follows:

- (1) ~~fifty (50)~~ thirty (30) feet at the time of construction from any adjacent property line;

...

SUBPART 30 Section 7.14.S., Site Development Standards, Signage, Billboard replacement and relocation, is amended to add and delete language as follows:

5. Relocation of billboards....

...

- u. A ~~relocated~~ billboard shall not be relocated adjacent to any public to a site on a road with a R-O-W with an ultimate width of less than eighty (80) feet.

...

- w. A minimum separation of at least five hundred (500) feet from any other existing or relocated billboard that is not on the same structure must be maintained. ~~This required separation shall be measured along the street R-O-W.~~

...

7. Supplemental billboard regulations....

- b. Billboards shall not be relocated to a site on a road with a ~~when abutting any public R-O-W with an ultimate~~ width of less than eighty (80) feet.

...

SUBPART 31 Section 8.14.A., Subdivision, Platting, and Required Improvements, Land Development Permit, Land Development Permit Application submittal, is amended to add and delete language as follows:

9. ~~Final plat. Developments which are platting~~ The developer of a subdivision for which plat recordation is required shall submit the Final Plat complying with Sec. 8.20.B, and a check for the plat recordation, payable to the Clerk of the Circuit Court of Palm Beach County, in the required amount.

10. ~~Certified survey. Developments~~ The developer of a subdivision for which the requirement to plat has been waived pursuant to this article shall submit a check payable to the Clerk of the Circuit Court of Palm Beach County for the recordation of the survey. When construction plans are not required, the certified survey may be recorded without further review, provided, however, that the County Engineer shall review any documents submitted in compliance with Sec. 8.14.A.3.

...

SUBPART 32 Section 8.19., Subdivision, Platting, and Required Improvements, Requirements for Certified Survey, is amended to add and delete language as follows:

- A. **General.** The County Engineer shall adopt and amend, from time to time, the criteria for the certified survey. At a minimum, the certified survey shall meet the requirements for surveys established by the Minimum Technical Standards set forth by the Florida Board of Professional Land Surveyors and Mappers in Chapter ~~21HH-6.003~~ 61G17-6, F.A.C., pursuant to Sec. 472.027, Fla. Stat.

- B. **Alternatives.** The County Engineer shall reserve the right to require a certified sketch and legal description in lieu of a certified survey. The certified sketch and legal

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description shall meet the requirements for certified sketches and descriptions set forth by Chapter ~~21HH-6.006~~ 61G1706, F.A.C., pursuant to Sec. 472.027, Fla. Stat. and Palm Beach County Description Checklist pursuant to policies and procedures established by the County Engineer and made available to the public.

...

SUBPART 33 Section 8.20.B., Subdivision, Platting, and Required Improvements, Requirements for the Preliminary and Final Plat, Final plat, is amended to add and delete language as follows:

2. Preparation. The plat shall be prepared by a ~~land~~ surveyor and mapper, currently ~~registered in the State of Florida~~ and is to be clearly and legibly drawn with black permanent drawing ink or veritype process to a scale of not smaller than one inch equals one hundred (100) feet, or as otherwise determined by the County Engineer.

...

4. Title....

...

d. When the plat is a replat, ~~amendment of~~ or addition to an existing plat of record, the words "section", "unit", "replat", ~~"amendment"~~, etc.; and

...

7. Survey data. The plat shall show the length of all arcs together with central angles, radii, and points of curvature. Centerlines shall include chord and chord bearing to the above mentioned. Sufficient survey data shall be shown to positively describe the boundary of each lot, block, right-of-way, street, easement, and all other areas shown on the plat and all areas shall be within the boundary of the plat as shown in the description. The plat shall also include the following items in the manner described below.

...

f. Permanent reference monuments shall be shown in the manner prescribed by Chapter 177, Fla. Stat., as amended. All information pertaining to the location of "P.R.M.s" shall be indicated in note form on the plat. Permanent Control Points, ~~and Permanent Reference Monuments, and Monuments~~ shall be designed and set as prescribed by Chapter 177, Fla. Stat., as amended, and Sec. 8.29.F. It is the responsibility of the surveyor and mapper to furnish the Clerk of the Circuit Court with his certificate that the "P.C.P.s" and all monuments according to Sec. 177.091(9), Fla. Stat., have been set and the dates said "P.C.P.s" and monuments were set.

...

p. Tabulation of Survey Data.

(1) The use of tangent tables is not permitted. However, at the discretion of the County Engineer on a case by case basis, the use of a tangent table to reflect corner clip (safe sight) chords, centerline chords, and chord bearings may be permitted if deemed necessary to meet requirements of neatness and clarity of the plat. Scale factors shall not be considered. Such tables, when permitted, must appear on the map sheet to which they refer and tangents shall be numbered consecutively through the entire presentation.

The possible exception noted above shall be limited to use on plats and shall not be carried into any other survey documents submitted for approval to the County Engineer.

(2) Curve data may be tabulated subject to the following conditions or exceptions.
(a) External boundary ~~or centerline curve~~ data may not be tabulated.

...

15. Certification and approvals....

Underlined language indicates proposed new language.

~~Language crossed out~~ indicates language proposed to be deleted.

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Relocated language is shown as italicized with reference (6.4.D.35.a.) in parentheses.

Double underlined language indicates changes between first and second readings.

c. **Certification of surveyor.** The Final Plat shall contain the signature, registration number and official seal of the surveyor, certifying that the plat is a true and correct representation of the land surveyed under his responsible direction and supervision and that the survey data compiled and shown on the plat complies with all of the requirements of Chapter 177, Fla. Stat., as amended, and this article. If the surveyor is part of a legal entity, the name, address, and certificate of authorization number of said entity shall be shown. The certification shall also state that permanent reference monuments ("P.R.M.s") have been set in compliance with Chapter 177, Fla. Stat., as amended, and this article. When the permanent control points ("P.C.P.s") and monuments according to Sec. 177.091(9), Fla. Stat., are to be installed after recordation, the certification shall also state that the "P.C.P.s" and said monuments will be set under the direction and supervision of the surveyor under the guarantees posted for required improvements within the plat. When required improvements have been completed prior to the recording of a plat, the certification shall state that "P.C.P.s" and monuments have been set in compliance with the laws of the State of Florida and ordinances of Palm Beach County. The form for the surveyor's certificate shall be as prescribed in the Land Development Forms Manual.

...

f. **Preparing Surveyor.** The name and address of the natural person who prepared the plat shall be shown on the plat ~~as required by Sec. 695.24, Fla. Stat., as amended,~~ in the form prescribed in the Land Development Forms Manual.

...

SUBPART 34 Section 8.29.E., Subdivision, Platting, and Required Improvements, Subdivision Design and Survey Requirements, Minimum safe sight distance at intersections, is amended to add and delete language as follows:

E. Minimum safe sight distance and corner clips at intersections. Street lines at the intersection of two streets shall be connected by a diagonal line in accordance with current County standards for corner clips. ~~Corner lot lines at intersecting street lines shall be the long chord of a twenty-five (25) foot radius, except that at the intersection of two (2) Thoroughfare Plan streets the radius shall be forty (40) feet.~~ Corner lots shall be designed to facilitate a safe intersection with respect to minimum stopping and turning sight distances in accordance with criteria prescribed in the most recent edition of the FDOT Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways. A restriction shall be placed on the plat prohibiting structures or landscaping over thirty (30) inches high within any additional safe sight area required to be established over an individual lot in order to accommodate unusual conditions in the design of the lot or alignment of adjacent streets, said height being measured from the street crown elevation at the intersection.

SUBPART 35 Section 8.29.F., Subdivision, Platting, and Required Improvements, Subdivision Design and Survey Requirements, Survey requirements, is amended to add and delete language as follows:

2. Permanent Control Points ("P.C.P.s") and Monuments. Permanent control points and monuments according to Sec. 177.091(9), Fla. Stat., shall be installed as follows:

a. **Installation prior to plat recordation.** Where required improvements are constructed prior to recordation, the permanent control points and monuments shall be set prior to submission of the Final Plat and certified by the surveyor in accordance with Sec. 8.20.B.15.c.

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~~Language crossed out~~ indicates language proposed to be deleted.

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Double underlined language indicates changes between first and second readings.

b. **Installation after plat recordation.** Where required improvements are constructed after recordation, the permanent control points shall be set under the guarantees as required by Sec. 8.21.A.8. In such case, the surveyor's certificate shall comply with Sec. 8.20.B.15. The signing surveyor shall provide the County Engineer with a copy of the recorded certification required by ~~Chapter 177.091, Fla. Stat.~~ Sec. 8.20.B.7.f., as to his placement of the permanent control points and monuments.

SUBPART 36 Section 11.3.B.4., Adequate Public Facility Standards, Review for Adequate Public Facilities, Procedure for review of application for Adequate Public Facilities Determination (APF) and a Concurrency Reservation, is amended to add language as follows:

c. Extension of 90 Day Negotiation Period. Prior to the expiration of the 90 day negotiation period, one extension of up to thirty (30) calendar days may be provided by the Zoning Director, or the DRAB, if it is determined that a government delay caused the failure of the review to be completed within the 90 day period. In no other case may an extension of time be provided.

SUBPART 37 Section 11.3.D.1.b., Adequate Public Facility Standards, Review for Adequate Public Facilities, Rules of General Applicability for an Adequate Public Facilities Determination and Reservation, Expiration, Reservation, is amended to add and delete language as follows:

b. Reservation....

All Concurrency Reservations shall be issued for the number of units or square footage shown on the approved Site Plan or Master Plan most recently certified by the Development Review Committee. For any Master Plan or Site Plan which was approved for acreage only, the capacity for the approved use shall be calculated by the applicant and affirmed by the Zoning Division and each service provider. Any Concurrency Reservation shall be adjusted accordingly. Any increase in units or square footage above that shown on the current Site Plan/Master Plan shall require a be subject to concurrency review reservation. (11.5.E.2.)

SUBPART 38 Section 11.3.D.2.a., Adequate Public Facility Standards, Review for Adequate Public Facilities, Rules of General Applicability for an Adequate Public Facilities Determination and Reservation, Effect, Adequate Public Facilities Determination, is amended to add and delete language as follows:

a. Adequate Public Facilities Determination (APF). An APF determination will remain valid until it expires and may be obtained ~~for all development orders except for a plat or building permit~~ only for preliminary development orders.

SUBPART 39 Section 11.3.D.7.c., Adequate Public Facility Standards, Review for Adequate Public Facilities, Rules of General Applicability for an Adequate Public Facilities Determination and Reservation, Receipt of a Certificate of Concurrency Reservation with conditions, Extension of date certain conditions, is amended to add and delete language as follows:

c. Extension of date certain conditions prior to issuance of development order.

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Double underlined language indicates changes between first and second readings.

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...
SUBPART 40 Section 11.3.E.2.a., Adequate Public Facility Standards, Review for Adequate Public Facilities, Procedure for Equivalency Determination, Review and recommendation, Approval of equivalency, is amended to add and delete language as follows:

a. Approval of equivalency....

(2) ~~issue a new Reservation~~ an Administrative Exemption if the development is existing and there is no valid Reservation or Exemption.

SUBPART 41 Section 15.(I)B.2 - Definition, Subsection 2. Terms Herein, is amended to add and delete language as follows:

...
CRITICAL VOLUMES - The sum of all movements in an intersection which conflict with one or more other movements as established pursuant to the Transportation Research Board, Special Report 209, Highway Capacity Manual (1985), "Capacity Planning Analysis", pages 9-21 and 9-22, as amended by the Palm Beach County Intersection Analysis by Critical Sum Method.

...
LEVEL OF SERVICE D - As to Average Annual Daily Traffic, and Peak Hour Traffic and Peak Hour, Peak Season, Peak Direction Traffic on a Link, the numbers set forth in Table 1A; ~~as to Peak Hour, Peak Season, Peak Direction Traffic on a Link, the numbers set forth in Table 1C LOS D column and as to Peak Hour Traffic at an intersection, a CRITICAL VOLUME of one thousand four hundred (1,400).~~

LEVEL OF SERVICE E - As to Average Annual Daily Traffic, and Peak Hour Traffic and Peak Hour, Peak Season, Peak Direction Traffic on a Link, the numbers set forth in Table 1B; ~~the numbers set forth in Table 1C LOS E column as to Peak Hour on a Link; as to Peak Hour Traffic at an intersection, a CRITICAL VOLUME and a Critical Volume of one thousand five hundred (1,500) as to Peak Hour Traffic on an intersection.~~

...
MODEL PLAN - the 2010 Interim current Transportation System Plan, ~~as modified by Table 3 of the Traffic Circulation Element of the Plan.~~

...
TABLE 3 - ~~Table 1 of the Traffic Circulation Element of the Plan, "Projected Network Deficiencies - 1988 Roadway Links Below Level of Service," and, as clearly demonstrated by the current traffic counts as determined by the County Engineer, those Major Thoroughfares that would have been added to the "Projected Network Deficiencies - 1988 Roadway Links Below Level of Service" had then current traffic counts been available. It shall also include those Links that were not included in the "Projected Network Deficiencies - 1988 Roadway Links Below Level of Service" through a scrivener's error.~~

TABLE 5 - ~~"Projected Network Deficiencies - Model Plan Roadway Links Below Generally Adopted Level of Service," as updated periodically by the County Engineer.~~

TABLE 6 - ~~The changes made to the 2010 Interim Transportation System Plan to produce the Model Plan established pursuant to, Section 15.(In)F,(3).~~

...
URBAN REDEVELOPMENT - Means demolition and reconstruction or substantial renovation improvement of existing buildings or infrastructure within urban infill areas or existing urban service areas.

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Double underlined language indicates changes between first and second readings.

SUBPART 42 Section 15(I)D - Standard., Subsection 2. Buildout/Model Standard, (A)
Link/Buildout test - Test 1., (2) - Eligibility, is amended to add and
delete language as follows:

(2) Eligibility. Notwithstanding subparagraph (1) of this paragraph (A), the LEVEL OF SERVICE D for the LINKS listed ~~on Table 3 which have a volume to capacity ratio greater than 1.00 therein~~ in Table TE-S1 of the Transportation Element Support Documents, "Projected Network Deficiencies - 1988 Roadway Links Below Level of Service" may be exceed by up to a total of five percent (5%) of Level of Service D as computed on an ADT basis. These roadway links eligible for the excess five percent (5%) will be presume to pass the average peak hour test. This five percent (5%) shall be the cumulative Traffic from all Projects or Project amendments approved increasing or redistributing Traffic for which application was made on or after February 1, 1990 based upon the Traffic Impact Studies of such. This excess five percent (5%) shall be allocated on a first-come-first-served application-filed basis; provided no Project may use more that one-fifth (1/5th) of the five percent (5%) available on any LINK. The County Engineer shall maintain a ~~map or table~~ on which the excess five percent (5%) shall be depicted and the amount of such used. ~~The map or table shall be updated not less frequently than quarterly.~~

SUBPART 43 Section 15(I)D - Standard., Subsection 2. Buildout/Model Standard, (A)
Link/Buildout test - Test 1., (3) - Alternate Test One, is amended to add
and delete language as follows:

(3) Alternate Test One.

~~For Links on which do not meet the ADT or Peak Hour standards of Test One is not met, an Applicant may be evaluated based on the elect to evaluate each Link's Peak Hours, Peak Season, Peak Direction directional traffic volumes and the Critical Volumes of the signalized major intersections at each end of the Links, using the Adopted Peak Season, Peak Hour, Peak Direction Level of Service Standard. If the number of lanes is different in each direction of a Link both directions shall be evaluated against the applicable standard, the number of lanes serving the direction being analyzed shall be used for purposes of determining the Peak Hour, Peak Season direction capacity. If the Peak Season, Total Peak Hour, Peak Direction directional Traffic exceeds the Adopted Peak Season, Peak Hour, Peak Direction Level of Service during the Buildout Period of the Project, no Site Specific Development Order shall be issued unless Link improvements are made, including Through-Intersection Continuity such that Test One, or Alternate Test One, is satisfied. Ifn addition to the studied Peak Season, Peak Hour, Peak Direction directional Traffic on a Link does not exceed the Adopted Peak Season, Peak Hour, Direction Level of Service of the Link during the Buildout Period of the Project, the Applicant shall complete a Detailed Analysis of the signalized major intersections at each end of the Link. Test One4 shall be satisfied if the Detailed Analysis demonstrates that the Critical Volume for the analyzed signalized intersections, during the Peak Hour in the Peak Season, is less than or equal to the Adopted Level of Service for intersections. The Applicant may make intersection improvements to achieve the Adopted Level of Service Critical Volume, in accordance with Palm Beach County or Florida Department of Transportation Design Standards to achieve the Adopted Level of Service Critical Volume.~~

SUBPART 44 Section 15(I)D - Standard., Subsection 2. (B) Model test/Test 2., (2), is
amended to add and delete language as follows:

~~**(2)** Notwithstanding subparagraph (1) of this paragraph (B), the LEVEL OF SERVICE E FOR THE LINKS listed in Table 5, may be exceed by up to a total of five percent (5%) of Level of Service E. This five percent (5%) shall be the cumulative Traffic from all Projects or Project amendments approved increasing or redistributing Traffic for which application~~

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Double underlined language indicates changes between first and second readings.

was made on or after February 1, 1990 based upon the Model run, including socio-economic data from such Development. This excess five percent (5%) shall be allocated on a first-come first-served application-filed basis; provided no Project may use more than three-fifths (3/5th) of the five percent (5%) available on any LINK based upon the Project's Traffic Impact Study. Notwithstanding the three percent (3%) limitation as stated at the bottom of Table 2B, net project trips with the maximum Radius of Development Influence shall be accumulated toward the five percent (5%) allocation. The County Engineer shall maintain a map or table on which the excess five percent (5%) shall be depicted and the amount of such used. The map or table shall be updated no less frequently than the Model. Links shall be added to Table 5 as their volume-to-capacity ratio exceeds 1.00 resulting from the Model update, using the Model Plan. At such time, these Links shall be eligible for the additional five percent (5%) under Test 2. Table 5 may be updated by resolution of the County Engineer.

(32) If Test 2 could be technically satisfied by improving deficient Link(s), the County Engineer may determine that such improvements will not satisfy Test 2 where such improvements do not result in additional capacity sufficient to solve the deficiency on the Major Thoroughfare Network or do not provide continuity based upon generally accepted traffic engineering principles.

...
SUBPART 45 Section 15(I)D - Standard., Subsection 2. (B) Model test/Test 2., Table 5, is amended to delete language as follows:

TABLE 5			
PROJECTED NETWORK DEFICIENCIES			
MODEL PLAN			
ROADWAY LINKS BELOW ADT LEVEL OF SERVICE D			
ROADWAY	FROM	TO	
10TH AVENUE NO.	Congress Avenue	I-95	
45TH STREET	Village Boulevard	I-95	
AIA	Ocean Avenue	State Road 80	
BELVEDERE ROAD	I-95	Parker Avenue	
BROADWAY	59th Street	Port Road	
CAMINO REAL	US 1	ICWW	
CENTRAL BLVD	Indiantown Road	Church Road	
CLINT MOORE RD	Jog Road	Military Trail	
FEDERAL HIGHWAY	Mizner Boulevard	Yamato Road	
GLADES ROAD	Butts Road	Perimeter Road	
MILITARY TRAIL	Belvedere Road	Okeechobee Blvd	
OKEECHOBEE BLVD	Folsom Road	Sem. Pratt Whitney	
OKEECHOBEE BLVD	Royal P Bch Blvd	State Road 7	
OKEECHOBEE BLVD	Fla's Turnpike	Palm Bch Lakes Blvd	
OKEECHOBEE BLVD	Congress Avenue	I-95	
OKEECHOBEE BLVD	Australian Avenue	Tamarind Avenue	
PALM BCH LAKES BLVD	Okeechobee Blvd	Mall East Entrance	
PALMETTO PARK ROAD	Military Trail	SW 12th Street	
SEM. PRATT WHITNEY RD	60th Street	Northlake Blvd	
SOUTHERN BLVD	I-95	Parker Avenue	
STATE ROAD 7	Okeechobee Blvd	Roebuck Road	
SUMMIT BLVD	Florida Mango	Parker Avenue	
YAMATO ROAD	I-95	NW 2nd Avenue	

SUBPART 46 Section 15(I)D - Standard., Subsection 2., (C) Level of Service Standard, (1), Tables 1A-1 and 1A-2 are deleted and replaced by Table 1A:

TABLE 1A
TEST ONE LEVEL OF SERVICE D

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Relocated language is shown as *italicized with reference (6.4.D.35.a.) in parentheses.*

Double underlined language indicates changes between first and second readings.

1	<u>FACILITY TYPE</u>		<u>ADT</u>	<u>PK HOUR</u> <u>Two Way</u>	<u>ALTERNATE TEST ONE</u>	
					<u>Peak direction</u> <u>(Signals per Mile)</u>	
					<u>0.00 TO 1.99</u>	<u>2.00 TO 4.50</u>
2	<u>2 lanes undivided</u>	<u>2L</u>	<u>14,900</u>	<u>1,390</u>	<u>880</u>	<u>790</u>
3	<u>2 lanes one-way</u>	<u>2LO</u>	<u>19,500</u>	<u>1,810</u>	<u>2,220</u>	<u>2,050</u>
4	<u>3 lanes two-way</u>	<u>3L</u>	<u>15,600</u>	<u>1,460</u>	<u>920</u>	<u>830</u>
5	<u>3 lanes one-way</u>	<u>3LO</u>	<u>29,300</u>	<u>2,730</u>	<u>3,340</u>	<u>3,100</u>
6	<u>4 lanes undivided</u>	<u>4L</u>	<u>24,400</u>	<u>2,270</u>	<u>1,390</u>	<u>1,280</u>
7	<u>4 lanes divided</u>	<u>4LD</u>	<u>32,500</u>	<u>3,020</u>	<u>1,850</u>	<u>1,710</u>
8	<u>5 lanes two-way</u>	<u>5L</u>	<u>32,500</u>	<u>3,020</u>	<u>1,850</u>	<u>1,710</u>
9	<u>6 lanes divided</u>	<u>6LD</u>	<u>48,900</u>	<u>4,550</u>	<u>2,780</u>	<u>2,580</u>
10	<u>8 lanes divided</u>	<u>8LD</u>	<u>60,100</u>	<u>5,590</u>	<u>3,400</u>	<u>3,180</u>
11	<u>4 lanes expressway</u>	<u>4LX</u>	<u>66,200</u>	<u>5,800</u>	<u>3,310</u>	
12	<u>6 lanes expressway</u>	<u>6LX</u>	<u>101,600</u>	<u>8,900</u>	<u>5,080</u>	
13	<u>8 lanes expressway</u>	<u>8LX</u>	<u>138,600</u>	<u>12,200</u>	<u>6,930</u>	
14	<u>10 lanes</u>	<u>10LX</u>	<u>173,200</u>	<u>15,200</u>	<u>8,860</u>	
15	<u>expressway</u>					

Based on the FDOT Level of Service Manual, 1998 edition.

NOTE: Table 1A-2 will become obsolete and Table 1A will become effective upon the compliance finding for Comprehensive Plan Amendment 99-2.

SUBPART 47 Section 15(I)D - Standard., Subsection 2., (C) Level of Service Standard, (1), Tables 1B-1 and 1B-2 are deleted and replaced by Table 1B as follows:

TABLE 1B
TEST ONE LEVEL OF SERVICE E

24	<u>FACILITY TYPE</u>		<u>ADT</u>	<u>PK HOUR</u> <u>Two Way</u>	<u>ALTERNATE TEST ONE</u>	
					<u>Peak direction</u> <u>(Signals per Mile)</u>	
					<u>0.00 TO 1.99</u>	<u>2.00 TO 4.50</u>
25	<u>2 lanes undivided</u>	<u>2L</u>	<u>16,200</u>	<u>1,500</u>	<u>880</u>	<u>850</u>
26	<u>2 lanes one-way</u>	<u>2LO</u>	<u>20,600</u>	<u>1,910</u>	<u>2,220</u>	<u>2,170</u>
27	<u>3 lanes two-way</u>	<u>3L</u>	<u>17,000</u>	<u>1,580</u>	<u>920</u>	<u>890</u>
28	<u>3 lanes one-way</u>	<u>3LO</u>	<u>31,000</u>	<u>2,890</u>	<u>3,340</u>	<u>3,280</u>
29	<u>4 lanes undivided</u>	<u>4L</u>	<u>25,700</u>	<u>2,390</u>	<u>1,390</u>	<u>1,360</u>
30	<u>4 lanes divided</u>	<u>4LD</u>	<u>34,300</u>	<u>3,190</u>	<u>1,850</u>	<u>1,810</u>
31	<u>5 lanes two-way</u>	<u>5L</u>	<u>34,300</u>	<u>3,190</u>	<u>1,850</u>	<u>1,810</u>
32	<u>6 lanes divided</u>	<u>6LD</u>	<u>51,700</u>	<u>4,810</u>	<u>2,780</u>	<u>2,730</u>
33	<u>8 lanes divided</u>	<u>8LD</u>	<u>63,400</u>	<u>5,900</u>	<u>3,400</u>	<u>3,350</u>

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4 lanes expressway	<u>4LX</u>	<u>81,700</u>	<u>7,200</u>	<u>4,090</u>
6 lanes expressway	<u>6LX</u>	<u>125,400</u>	<u>11,000</u>	<u>6,270</u>
8 lanes expressway	<u>8LX</u>	<u>171,100</u>	<u>15,100</u>	<u>8,550</u>
10 lanes expressway	<u>10LX</u>	<u>213,800</u>	<u>18,800</u>	<u>10,690</u>

Based on the FDOT Level of Service Manual, 1998 edition.

NOTE: Table 1B-2 will become obsolete and Table 1B will become effective upon the compliance finding for Comprehensive Plan Amendment 99-2.

SUBPART 48 Section 15(I)D - Standard., Subsection 2., (E), Maximum Radius of Development Influence, Table 2A is deleted and replaced by Tables 2A and 2A-1 as follows:

TABLE 2A
TEST ONE MAXIMUM RADIUS OF DEVELOPMENT INFLUENCE

Net External Trip Generation			Distance
<u>1</u>	<u>thru</u>	<u>200</u>	<u>Directly Accessed Link(s) of first accessed Major Thoroughfare(s)</u>
<u>201</u>	<u>thru</u>	<u>500</u>	<u>0.5 miles</u>
<u>501</u>	<u>thru</u>	<u>1,000</u>	<u>1 mile</u>
<u>1,001</u>	<u>thru</u>	<u>5,000</u>	<u>2 miles</u>
<u>5,001</u>	<u>thru</u>	<u>10,000</u>	<u>3 miles</u>
<u>10,001</u>	<u>thru</u>	<u>20,000</u>	<u>4 miles</u>
<u>20,001</u>	<u>thru</u>	<u>Up</u>	<u>5 miles</u>

TABLE 2A-1
TEST ONE
LEVELS OF SIGNIFICANCE

<u>Distance/Facility</u>	<u><= 0.5 miles*</u>	<u>> 0.5 miles</u>	<u>I-95</u>
<u>Significance Level</u>	<u>0.5% LOS D</u>	<u>1% LOS D</u>	<u>5% LOS D</u>

* Links within one-half (0.5) miles of a Project must be evaluated, regardless of significance, where:
 1) the Project is located outside of the Urban Service Area, or
 2) the ADT at Buildout will exceed 110% LOS D, or
 3) the subject link is a designated hurricane evacuation route.

SUBPART 49 Section 15(I)D - Standard., Subsection 2., (E), Maximum Radius of Development Influence, Table 2B footnote is amended to add and delete language as follows:

~~Except for Projects generating fewer than fifty-one (51) trips, all Projects must address at least the Directly Accessed Link. When a Site-Specific Development Order has a Radius of Development Influence beyond the Directly Accessed Link, then that Project A project must address only those links beyond the Directly Accessed Link on which its Net Trips are greater than three percent (3%) of the Level of Service E D on an ADT basis of the Link affected on an ADT basis up to the limits set forth in Table 2B.~~

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1 Provided, in all cases, I-95 shall be addressed only if Net Trips on I-95 are greater than
2 five percent (5%) of the Level of Service ~~E D~~ ADT volume of the Link affected on an
3 ADT basis up to the limits set forth in Table 2B.

4 **SUBPART 50 Section 15(I)E , Traffic Impact Study, Subsection 2, (B) Methodology,**
5 **(7) Traffic generation, (d) is amended to add language as follows:**

6 (d) Internal Traffic - It is acknowledged that some trips generated by mixed use
7 Projects do not exit the Project or enter the Major Thoroughfare system. Unless
8 approved by the County Engineer, credit against the trip generation of a PROPOSED
9 PROJECT shall not exceed ten percent (10%) of the gross trip generation of the project,
10 not including internalization between Service Station and Convenience Store uses.
11 Additionally, credit for any individual land use within the PROPOSED PROJECT shall
12 not exceed ten percent (10%) of the gross trip generation for the land use, except as
13 provided herein. Internalization between Service Station and Convenience Store uses is
14 established at thirty-two percent (32%) of the gross trip generation of the Convenience
15 Store use.

16 **SUBPART 51 Section 15(I)E , Traffic Impact Study, Subsection 3, Detailed Analysis**
17 **of Alternate Test One, (A) Analysis, (1) is amended to add and delete**
18 **language as follows:**

19 **(1) Transportation Research Board, Special Report 209, Highway Capacity Manual**
20 **(1985), as amended by the Palm Beach County Intersection Analysis by Critical Sum**
21 **Method shall be used as the methodology for the analysis.**

22 **SUBPART 52 Section 15(I)E , Traffic Impact Study, Subsection 4, Site Related**
23 **Improvements, is amended to add and delete language as follows:**

24 In addition to the Link and intersection standards and studies, all peak hour(s) turning
25 movements (including Pass-by trips) shall be shown and analyzed ~~using the analysis in~~
26 ~~the 1985 Manual~~ for all points where the PROJECT's traffic meets the DIRECTLY
27 ACCESSED LINKS and other roads where traffic control or geometric changes may be
28 needed, as determined by the County Engineer. Recommendations shall be made
29 concerning signalization, and turn lanes or other improvements. ~~For projects in the~~
30 ~~Unincorporated Area, the~~ County may require such improvements to ensure the safe
31 and orderly flow of traffic.

32 **SUBPART 53 Section 15(I)G, Procedure, Subsection 1, Required Submission of**
33 **Impact Study, (C), No Study Needed, is amended to add and delete**
34 **language as follows:**

35 **(1) Residential - New Residential Projects generating fewer than two hundred (200)**
36 **Gross Trips based on Palm Beach County's adopted daily trip generation standard-**
37 **Institute of Transportation Engineers rates of seven (7) trips per multifamily unit and ten**
38 **(10) trips per single family unit shall not be required to submit a Traffic Impact Study.**
39 **The NET TRIPS shall be distributed over the Major Thoroughfare system by the County**
40 **Engineer or Municipal Engineer, as the case may be, in accordance with generally**
41 **accepted traffic engineering principles.**

42 **(2) Non-residential- Non-residential Projects generating fewer than two hundred (200)**
43 **Gross Trips based on Palm Beach County's adopted daily trip generations rates shall**
44 **not be required to submit a Traffic Impact Study. The NET TRIPS shall be distributed**
45 **over the Major Thoroughfare system by the County Engineer or Municipal Engineer, as**

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the case may be, in accordance with generally accepted traffic engineering principles.

(3)(2) Non-residential Amendments - Amendments to non-residential Projects generating fewer than two hundred (200) Gross Trips based on Palm Beach County's adopted daily trip generations rates, standard Institute of Transportation Engineers rates for the particular use of land shall not be required to submit a Traffic Impact Study for an amendment, provided that the total Project, including the amendment, does not exceed two hundred (200) Gross Trips. The NET TRIPS shall be distributed over the Major Thoroughfare system be the County Engineer or Municipal Engineer, as the case may be, in accordance with generally accepted traffic engineering principles.

(4)(3) Exceptions - If Alternate Test One or ART-Plan is utilized a TRAFFIC IMPACT STUDY shall be submitted. If the APPLICANT desires to appeal the distribution or decision of the County or Municipal Engineer, a Traffic Impact Study shall be submitted. In all cases, The standards of this Section shall be met.

SUBPART 54 Section 15(I) J, Affordable Housing, Subsection 3, Application Review of Special Methodologies Projects, Review, is amended to add and delete language as follows:

(a) Whether or not the project complies with, at least, the minimum standards for a development of its size as identified in the traffic performance standards exemption criteria in the Transportation Element Policy 4-j 1.2-b of the Comprehensive Plan....

SUBPART 55 Section 15(I) L, Coastal Residential Exception, Subsection 3, Traffic Impact Study Information, is amended to add and delete language as follows:

The Applicant shall submit a traffic study ~~meeting the information requirements of this Section providing Traffic Generation, Assignment throughout the Test One Radius of Development Influence and projections of future traffic at the site access. Traffic Impact Studies for mixed use projects must provide separate distributions and assignments for the residential and non-residential components.~~

SUBPART 56 Section 15(I)N, Transportation Concurrency Exception Areas (TCEA), Subsection 3, Criteria, (A)(1), is amended to add and delete language as follows:

(1) Demonstrate that the TCEA is compatible with and furthers the various portions and elements of the County Comprehensive Plan. When in a municipality, it shall also demonstrate that the ~~TCMA~~ TCEA is compatible with and furthers various portions and elements of the local government's Comprehensive Plan.

SUBPART 57 Section 15(I)N, Transportation Concurrency Exception Areas (TCEA), is amended to add language as follows:

Subsection 5. Traffic Impact Study Information - A traffic study providing Traffic Generation, Assignment throughout the Test One Radius of Development Influence and projections of future traffic at the site access must be submitted to the County for PROPOSED PROJECTS within the limits of a TCEA.

SUBPART 58 Section 17.G., Park and Recreation Standards, Park, Infill Neighborhood, is created as follows:

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1 **G. Park, Infill Neighborhood** means a park established as part of a residential
2 neighborhood that has been designated as a Revitalization and Redevelopment
3 Overlay by the BCC. The park provides active or passive recreation and usable open
4 green space within walking distance of the neighborhood it is intended to serve. An
5 infill neighborhood park shall be subject to the following supplementary use standards.

6 **a. Size.** The infill neighborhood park shall consist of an open space area of two and a half
7 (2 ½) acres or less.

8 **b. Recreational amenities.** Active recreational amenities may include, but are not limited
9 to, playground equipment and non-regulation basketball courts.

10 **c. Landscaping.** This type of park shall be subject to Parks and Recreation Department
11 landscape standards.

12 **d. Setbacks from residential uses.**

13 **(1) Structures.** All structures shall be setback a minimum of fifteen (15) feet from all
14 abutting residential uses.

15 **(2) Active recreation facilities.** All active recreation facilities such as, but not limited
16 to, basketball courts shall be setback a minimum of twenty-five (25) feet from
17 property lines abutting residential uses.

18 **(3) Park furniture and playground equipment.** Park furniture, such as benches,
19 picnic tables and grills, and playground equipment shall be setback a minimum
20 of fifteen (15) feet from property lines abutting residential uses.

21 **(4) Playground surfaces areas.** Playground surface areas shall be setback a
22 minimum of ten (10) feet from property lines abutting residential uses.

23 **e. Setbacks from R-O-Ws and non-residential tracts.**

24 **(1) Structures.** All structures shall be setback a minimum of fifteen (15) feet from R-
25 O-Ws and non-residential tracts.

26 **(2) Active recreation facilities.** All active recreation facilities such as, but not limited
27 to, basketball courts shall be setback a minimum of fifteen (15) feet from R-O-Ws
28 and non-residential tracts.

29 **(3) Park furniture and playground equipment.** Park furniture and playground
30 equipment shall be setback a minimum of fifteen (15) feet from R-O-Ws and non-
31 residential tracts.

32 **(4) Playground surface areas.** Playground surface areas shall be setback a
33 minimum of ten (10) feet from R-O-Ws and non-residential tracts.

34 **f. Hours of operation.** The hours of operation shall be pursuant to the PBC Parks and
35 Recreation ordinance 96-44.

36 **g. Restrictions.** Sports lighting, parking spaces and permanent sanitary facilities shall
37 be prohibited.

38 **PART 2. CAPTIONS:** The captions, section headings, and section designations used in this
39 ordinance are intended for the convenience of users only and shall have no effect in the
40 interpretation of the provisions of this ordinance.

41 **PART 3. REPEAL OF LAWS IN CONFLICT:** All local laws and ordinances applying to the
42 unincorporated area of Palm Beach County in conflict with any provision of this ordinance
43 are hereby repealed to the extent of any conflict.

44 **PART 4. SEVERABILITY:** If any section, paragraph, sentence, clause, phrase, or word of

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1 this ordinance is for any reason held by the Court to be unconstitutional, inoperative or void,
2 such holding shall not affect the remainder of this ordinance.

3 **PART 5. INCLUSION IN THE UNIFIED LAND DEVELOPMENT CODE:** The provision of
4 this ordinance shall become and be made a part of the Unified Land Development Code of
5 Palm Beach County, Florida. The Sections of the ordinance may be renumbered or
6 relettered to accomplish such, and the word "ordinance" may be changed to "section,"
7 "article," or any other appropriate word.

8 **PART 6. EFFECTIVE DATE:** The provisions of this ordinance shall become effective upon
9 filing with the Department of State.

10 **APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach
11 County, on the 4th day of April, 2000.

12 **ATTEST: PALM BEACH COUNTY, FLORIDA,**
13 **BY ITS BOARD OF COUNTY COMMISSIONERS**
14 **DOROTHY H. WILKEN**

15 By: _____ By: Maudie Ford Lee
16 Deputy Clerk Chair Chair

17 **APPROVED AS TO FORM AND**
18 **LEGAL SUFFICIENCY**

19 By: [Signature]
20 County Attorney

21 **EFFECTIVE DATE:** Filed with the Department of State on the 12th day of
22 April, 2000, at _____ m.

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STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on April 4, 2000
DATED at West Palm Beach, FL on 4/19/00
DOROTHY H. WILKEN, Clerk
By: [Signature] D.C.

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